THE DATE

OF THE

COMPOSITION

OF

DEUTERONOMY

A CRITICAL STUDY

BY

HUGH POPE, O. P., S. T. L.

DOCTOR OF SACRED SCRIPTURE
MEMBER OF SOC. OF BIBLICAL ARCHAEOLOGY
PROFESSOR OF NEW TESTAMENT EXEGESIS
IN THE COLLEGIO ANGELICO, ROME

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ERRATA

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AD

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ALLICIEBAT

"Moses wrote this; he wrote and departed, passed from hence, from Thee to Thee. He stands not now before me. But if he were here, I would hold him and ask him, and beseech him by Thee to open these things unto me, and I would strain my bodily ears to catch the words which should break from his mouth. If he should speak in Hebrew his words would break idly on my senses, nor would they convey ought to my mind. But if he should speak in Latin, then should I understand what he said. But how should I know that he spoke truth? And if I did know, would it be from him that I learnt it? Nay, but within me, within, in the chamber of my mind, Truth that is neither Hebrew, nor Greek, nor Latin, nor Barbarian, Truth without organ of voice or tongue, without sound of syllables, would say: It is truth. And I forthwith would say to that man of Thine: Thou sayest truly."

S. AUGUSTINE, Confess. XI, 3.

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Decisions of the Biblical Commission.

(July 1906).

I.

Are the critical arguments against the Mosaic authorship of the Pentateuch of such weight that we are justified in disregarding (a) the collective force of the many indications of the Mosaic authorship afforded by both Old and New Testaments, (b) the persistent agreement of the Jewish people on the point, (c) the constant tradition of the Christian Church, (d) the internal arguments in favour of the Mosaic authorship which are deducible from the text itself; and are we consequently justified in holding that Moses was not the author of these books but that they were compiled from sources which were in many cases of later date than Moses?

Reply:—In the negative.

II. (a)

Does the Mosaic authorship of the Pentateuch mean that we are bound to hold that Moses wrote it all with his own hand or at least dictated it to amanuenses?

Reply:—In the negative.

(b)

Can we, on the other hand, allow the hypothesis that Moses himself entrusted to one or more scribes the task of committing to writing what he alone had received under Divine inspiration; prevising of course, that these amanuenses faithfully rendered his meaning, wrote nothing which he did not intend, and omitted nothing; prevising, too, that when the work had been completed

it was approved by Moses who was the principal and the inspired author, and that it was finally published under his name?

Reply:—In the affirmative.

III.

Can we without prejudice to the Mosaic authorship of the Pentateuch concede that Moses used Documents in composing his work, that is to say written documents or oral traditions from which, in accordance with the particular object proposed to him and under the influence of divine inspiration, he derived information, but the wording or meaning of which he either modified or amplified as he chose, and so inserted in his work?

Reply:—In the affirmative.

IV.

Can it be admitted without in any way prejudicing the Mosaic authorship, that in the course of years certain modifications have found their way into the Pentateuch, as for example, additions made, after the death of Moses, by an inspired author; glosses or explanations of the text; modifications of archaic words and forms? Can we admit also textual corruptions due to careless copying, and only to be detected by the application of the principles of textual criticism?

Reply:—Affirmatively, subject to the Church's decision.

PREFACE

THE following pages call for a few words of explanation. In their original form they constituted a thesis which the present writer defended when taking his degree as Doctor in Sacred Scripture before the Biblical Commission. This fact will explain certain features in the treatment of the question which might otherwise not be understood. The thesis was to be publicly defended and upon it the bestowal of the Doctor's degree was to depend, consequently the writer had to bear two things in mind, viz., that he had to prove his own competency, and that he had to form an independent judgment; for it would manifestly have been absurd to present himself for the Doctor's degree with a thesis due more to a copious use of scissors and paste than to his own efforts.

Hence, in the pages which follow, the names of conservative critics will be conspicuous only by their absence, as a study of their works would have been prejudicial to the formation of an unbiassed view of the evidence. At the same time it is not implied that such works have never been read. They have been read, but in past years only; they have not now been consulted for the purpose of refuting the arguments of the critical schools.

* * *

The importance of the question to be discussed goes without saying. The critical schools declare with an unanimity which is startling and is in itself a source of danger, that Deuteronomy was composed in the reign of Josias, viz., between the years 641–610. B.C. This doctrine may without exaggeration be termed the corner-stone of modern Pentateuchal criticism, or as one of the comparatively recent writers on the book puts it:

"Deuteronomy is Ariadne's thread in the labyrinth of Pentateuch criticism."

Some there are who are apt to look upon all such questions as superfluous, such people take refuge in the well-known words of S. Gregory the Great in his preface to his Book of Morals on Job: "Who wrote it, is an altogether superfluous question so long as we believe the Holy Spirit to be the Author of the Book, For He Who dictated it wrote it. If I were to receive a letter from some notable person and could read it, how absurd it would be for me to try and find out what kind of pen he wrote with! The important thing, surely, is to know who wrote the letter and to understand what it means! When, then, we have a certain book in our hands and know that the Holy Spirit is its Author, if we now go about wondering who penned it, what else are we doing but reading our letter and worrying about the pen our correspondent used?" But those were the ages of faith, and S. Gregory was not then treating of the defence of the faith. A glance, however, at the decisions of the Biblical Commission which we have prefixed to these pages will shew us how necessary it is for us to study these questions. Let us turn the first 'Dubium' proposed by the Commission into a positive statement: 'The critical arguments brought against the Mosaic authorship of the Pentateuch are of such weight that we are justified in rejecting not only the witness of the Old and New Testaments to that Mosaic authorship, but also the Jewish tradition and the Christian, to say nothing of the witness borne by the Pentateuch itself to its Mosaic authorship.' These are the things which are at stake, and we venture to say that the first point and the third, which embrace the witness of the Bible itself to the Mosaic authorship, are those which should concern us the most, and this because the Bible's witness is so clear that it can only be discounted by disintegrating the whole Biblical literature and history. Yet this is precisely what modern critics have not been afraid to do. Moreover, on the special point at issue, viz., the date of the composition of Deuteronomy, the critical view demands, no matter what explanations may be evolved, that we consider the actual composition of this book as a fraudulent act. And the same must be said of the formation of the Priestly Code. This point will, we hope, be made clearer later on; it is sufficient to call attention

to it at this stage so as to shew that we are not entering upon a purely academic discussion the ultimate resolution of which is of small importance.

It will be at once apparent that the question we are going to discuss is a very different one from, for example, that of the sources of the Pentateuch, or of the value of the Documentary theory in itself. The question with which we are concerned is twofold: (a) Is a certain book of the Bible which we have hitherto regarded as historical in the strict sense of the word, to be now considered an elaborate fiction devised in the interests of a creed which needed some such support? (b) Is that same book, which we have hitherto regarded as dating from the time of Moses, to be now regarded as dating only from the seventh century B.C., i.e., nearly eight-hundred years later? Or the question may be stated in another way: Are we to reject the traditional view of the Bible, which is founded on an unassailable view of the Philosophy of history and of divinely revealed Religion, in favour of one which is based upon Hegelianism and upon an impossible and unphilosophical view of religious evolution? That these are the real bases of the critical view we shall see as we go on.

And, is it not time for us to rebel against the dictation of the modern critical schools? Is it not time for us to assert our right to investigate the data of these same critics? We did rebel, the whole world rebelled, when the Tubingen school undertook to dictate to us with regard to the New Testament. We rebelled against the Tubingen school because we were familiar with the Gospels and Epistles which they attacked, their criticisms offended our susceptibilities regarding what was our daily food and our daily meditation, and we would have none of it; hence a whole school of New Testament critics arose and refuted the errors which had been sown broadcast and which endangered the life of the Church. Why do we not do the same now when views are scattered broadcast which bring the Old Testament into contempt? Is it not because we do not realise how deeply these views sin against the text of the Old Testament? And is not this because we are not as familiar with the Old Testament as we should be?

Many are deterred from these studies because they demand a knowledge of Oriental languages; many more because they have

not the requisite leisure; but the vast majority are, we fear, deterred from them because they are overwhelmed by the air of absolute conviction with which modern critical views are stated. The learning of the critics is undoubtedly great, they have devoted the best years of their lives to the investigation of these questions, and we have an uneasy feeling that they must be right! Perhaps we have peeped into some of their works and have felt dismayed both by the views held and by the learning and ability with which they are supported. Perhaps, too, just when we have felt that the traditional defensive arguments were really very strong we have been dismayed to learn that other students of far greater ability than ourselves have felt the same and have yet, after strenuously fighting against the conclusions of the modern school, been compelled by the force of the evidence to retire discomforted and give in their tardy allegiance to the views which had so long proved distasteful to them! The great critic, Franz Delitzsch, after forty-four years of Biblical study, and after publishing three editions of his commentary on Isaias, became converted in the year 1880 to the critical view of the plurality of authorship of the prophecies of Isaias, and in 1889 brought out a fourth edition of his commentary in which he had recast his whole work in accordance with the principles against which he had fought all his life! One cannot but admire his moral courage in so doing, even though he was not necessarily right. The same is told of Ewald; in 1823 he upheld the Mosaic authorship of the Pentateuch, in 1831 he repudiated it.

In the following pages, then, we have taken only one of the many questions which have to be treated of in Pentateuchal criticism. We have chosen that particular question for examination because it is, so to speak, the pivot round which Pentateuchal criticism revolves. Two quotations from Wellhausen's Introduction to his *Prolegomena* will make this clear:—"About the origin of Deuteronomy there is less dispute (than with regard to the Priestly Code); in all circles where scientific results can be looked for at all, it is recognised that it was composed in the same age as that in which it was discovered, and that it was made the rule of Josiah's reformation, which took place about a generation before the destruction of Jerusalem by the Chaldeans." And at the close of the same Introduction he says:—"The assumptions I make

will find an ever recurring justification in the course of the investigation; the two principal are, that the work of the Jehovist, so far as the nucleus of it is concerned, belongs to the course of the Assyrian period, and that Deuteronomy belongs to its close. Moreover, however strongly I am convinced that the latter is to be dated in accordance with 2 Kings xxii., I do not, like Graf, so use this position as to make it the fulcrum for my lever. Deuteronomy is the starting-point, not in the sense that without it it would be impossible to accomplish anything, but only because, when its position has been historically ascertained, we cannot decline to go on, but must demand that the position of the Priestly Code should also be fixed by reference to history."

In treating this question we have, we trust, done full justice to the views of the modern school, we have quoted their actual words when possible, and have referred to them by name. We mention this last point because some may object that we seem to be actuated by a certain 'animus' against individual critics, and some passages may even be thought to savour too much of the 'odium theologicum;' but this is not really the case, we have quoted these critics by name for the simple reason that their names were household words, and also because we were particularly anxious to avoid any imputation of vagueness. With regard, indeed, to the scholars whose names figure so often in these pages we can only say that while we disagree with them *in toto* and repudiate the conclusions which they would fain force upon Biblical students, we yet have the greatest respect for their scholarship, their zeal, and above all for their honesty of purpose; we are confident that there is not one of them who would not echo Lessing's noble saying: "If by an error of mine I have ever led another to a knowledge of the truth, I have deserved as well of the cause of truth as the discoverer of it." And this, to our thinking, has been the function of Modern Biblical Critics in the counsels of Divine Providence, they have been allowed to formulate their teaching in order that we who rejoice in the eternal heritage of the truth might be stirred up to a deeper sense of its value and might be compelled to study it for ourselves.

Everywhere there are signs of a re-action against the critical views we are combating, let us see to it that the re-action come from that Church which can alone claim the title of "the pillar

and the ground of truth." And in saying this we do not mean that the Catholic Church has not already spoken out boldly against these modern views—the famous Encyclicals *Providentissimus Deus* and *Lamentabili Sane* are sufficient disproof of any such notion—but we mean that it is the duty of individual scholars to enter the lists and take up the cudgels against the flood of criticism which knows of no such thing as a *doctrine* of inspiration and which has almost abolished the idea of Divine Revelation properly so-called. We are sometimes only too ready to say that when once the Church has spoken the question is settled, we forget that it is for us to make known the Church's decisions, and not only to make them known but to drive them home by the application of sound critical principles. The words of the late Pontiff Leo XIII. are often referred to by modern critics with contempt and we therefore repeat them here:—"There has arisen, to the great detriment of religion, an inept method, dignified by the name of the 'higher criticism,' which pretends to judge of the origin, integrity, and authority of each Book from internal indications alone. It is clear, on the other hand, that in historical questions, such as the origin and the handing down of writings, the witness of history is of primary importance, and that historical investigation should be made with the utmost care; and that in this matter internal evidence is seldom of great value, except as confirmation. To look upon it in any other light will be to open the door to many evil consequences. It will make the enemies of religion much more bold and confident in attacking and mangling the Sacred Books; and this vaunted 'higher criticism' will resolve itself into the reflection of the bias and the prejudice of the critics. It will not throw on the Scripture the light which is sought, nor prove of any advantage to doctrine; it will only give rise to disagreement and dissension, those sure notes of error, which the critics in question so plentifully exhibit in their own persons; and seeing that most of them are tainted with false philosophy and rationalism, it must lead to the elimination from the sacred writings of all prophecy and miracle, and of everything else that is outside the natural order." (*Prov: Deus:* Engl: Transl: p. 23.) These are glorious words and they are far-seeing too, for we may without injustice sum up the advanced critical teaching of to-day by saying that it consists in gross manipulation of the

text, in gross violation of the ordinary canons of criticism, and in still grosser manipulation of the Biblical history, and all in the interests of the Hegelian Philosophy!

Once more, the study we have undertaken is not merely academic, for, as we who are engaged in the work of saving souls know only too well, what critics put forth tentatively and often merely by way of suggestion, soon finds its way down to him whom we in vulgar parlance term 'the man in the street', but he receives it not as a tentative theory, not as a merely possible view, but as a dogmatic conclusion. Now the 'man in the street' we love, we might almost say that he is the sole *raison d'être* for us priests and ministers of God, "the weak you have not strengthened, and that which was sick you have not healed, that which was broken you have not bound up, and that which was driven away you have not brought back again, neither have you sought after that which was lost, and My sheep were scattered because there was no shepherd. (Ezechiel, XXXIV, 4–5). It is a known fact that the non-Catholic Churches find it daily harder to uphold the Divine character of the Bible. And yet if they lose that, what else have they to fall back upon? They cannot fall back on the authority of the Church. We must not forget that we have not only got to rely upon that authority, but that it is our privilege to defend it and so support it.

One last point remains to be touched upon: what binding force have the decisions of The Biblical Commission? The reigning Pontiff, Pius X., has himself answered this question in a *motu proprio* 'Præstantia Scripturæ Sacræ' dated Nov. 18th, 1907. He therein declares that all decrees, whether past or future, emanating from the Biblical Commission, are on the same footing as decrees emanating from the Sacred Congregations *and approved by the Pope*. Hence the Pontiff goes on to say that no one who repudiates these decrees, whether by word of mouth or in writing, can do so vithout committing thereby a grave fault and incurring the charge of deliberate disobedience and temerity. But since there seems to be a great deal of misunderstanding on this point it may not be omiss to explain briefly the exact position occupied by the Decrees of the various Sacred Congregations. When any Decree has been drawn up by any of the Sacred Con-

gregations, it is submitted to the Supreme Pontiff for his approval, and he may either give it his *ordinary* or his *solemn* approval. In the former case it is still a Decree of the Congregation which drew it up, and is in no sense a Papal Decree. Consequently, such Decrees are *in no sense infallible*, for they are still the 'acts' of a Congregation, and not of the Pope, for though he can given them his approval it is clear that he cannot delegate his infallibility. If, however, the Supreme Pontiff gives to any such Decree his *solemn* approbation, he makes that Decree *his own act* though he generally, in publishing it, makes express reference to the previous examination of the question at the hands of the particular Congregation to which it was entrusted. We have examples of such procedure in the Bull of S. Pius V. against Baius, Oct. 1st, 1567, also in that of Innocent X. against Jansenius, May 31st, 1653. Such 'acts' are clearly infallible, for they fall on questions of Faith and Morals, emanate from the Pope formally as the Head of the Church, and are directed to the whole Church. But it is quite otherwise with the Decrees of the Biblical Commission, their 'acts' remain their own and have only received ordinary approbation from the Supreme Pontiff. They are not, then, infallible, but they are binding on all good Catholics in this sense, that, as the present Pope says in the *motu proprio* referred to above, no one who repudiates them can escape the charge of disobedience and of temerity. In others words, these Decrees do not become articles of faith, for that would demand that they were infallible which we have seen they are not; but none the less, we are bound to give them a religious assent, that is we are bound to accept them both interiorly and exteriorly if we would be loyal sons of Holy Church. This reverential attitude of mind towards such Decrees is especially incumbent upon all whose duty it is to teach, whether by word of mouth or in writing. Pius IX. points this out very clearly in his letter to the Archbishop of Munich, Dec. 21st. 1863. He insists that Catholic Professors and writers are not merely bound to hold those dogmas which have been defined by the infallible decision of the Church, but that they are also bound in conscience to see that their writings etc. are really profitable to the Church: "consequently it is not enough for them to receive and revere the Church's infallible teachings, they must also submit themselves to the doctrinal decisions which emanate from the Pon-

tifical Congregations.'' [1] It should be noted, too, that intermediate betveen infallible Papal pronouncements and Decrees of the Congregations come certain Papal Encyclicals which are not necessarily infallible, e. g. the Encyclical "Providentissimus Deus", but which rank far higher than the above-mentioned Decrees of the Congregations.

No one can deny that it is good for us to be safeguarded by Decrees such as these. They do not fetter our criticism, they direct it and keep it within bounds. If proof of the value of such directive legislation were needed, it is to be found in the extravagances of modern critics. Each of them is a free lance, and what is more remarkable, each one seems to be independent of his predecessors and to start a line of criticism of his own, regardless of the work already done in the same sphere by those who have gone before him.

More than all, such Decrees are a perpetual reminder to us of the supernatural character of the Bible. And how much we need to be reminded of this will be evident to all whose work has led them to study non-Catholic commentaries. Modern critics make many disclaimers, and constantly talk of 'devout and reverential criticism.' No doubt they mean what they say, but they are crippled, for their principles are purely naturalistic. The fact that the text is sacred never seems to weigh with them in their interpretation of it, it has to be treated like any other book and according to the same rules; the fact that it is inspired cannot weigh with them when engaged in unravelling its meaning. Thus a Bishop of the Anglican Church writing in the *Nineteenth Century*, Dec. 1908, says: "in the language of Pope Leo XIII. 'the books of the Bible must not be regarded like ordinary books'. Nearly half a century ago, when Biblical criticism, at least in England, was in its infancy, the late Professor Jowett, writing upon the interpretation of Scripture in *Essays and Reviews* laid down the rule: 'Interpret the Scripture like any other book'; and this can only be done in the same careful and impartial way that we ascertain the meaning of Sophocles and Plato. All criticism of the Bible depends upon this rule. For in the critical or scientific

[1] For the whole question see Gotti 'De Locis Theol.' tom. I. quest. III. dub. ix, 2. nb. 12. Palmieri 'De Romano Pontifice', p. 632. Franzelin 'De Divina Trad. et S. Script.' ed. 3. p. 133. De Groot 'De Loc. Theol.' p. 586.

point of view, inspiration is not, and cannot be, an axiom from which flow special principles of exegesis applicable to the Bible and the Bible alone. If it is anything, it is in itself a conclusion of Biblical study. In other words the student of the Bible does not start from inspiration, if he believes in inspiration at all, he believes in it as an induction from the facts which he studies."

* * *

The following passage from Mr. Wilfrid Ward's "Life and Times of Cardinal Wiseman" are full of wisdom and singularly appropriate to the question we are going to discuss:

"The German thinkers, in whom at first the poetry of Church history and an appreciation of the genius of the Church were the guiding spirit—as we see in Möhler's 'Symbolism'—gradually became specialists, and from ceasing to balance the results of mere specialism by the general conclusions of which the truth of Catholicism gives a presumption, passed from Christian liberty to free thought. The wholesome check on the mistakes of specialists, which, in secular matters, is given by general experience of the world comes, perhaps, in theology from familiar knowledge of the Church in all its aspects, and in the phases of its past. The absence of this check leads to an enormous overrating of the significance or accuracy of isolated discoveries in history or philosophy. The critical and historical specialist triumphantly revolutionises the received tradition, by conclusions which are, in turn (as with the results obtained by Baur's revision of the dates of the Gospels), reformed by his successors. Or the philosophical thinker bases a whole system on a newly seen half-truth—as did the traditionalists. Participation in the many-sided life of the Ancient Church, and familiarity with the fate of past speculations in her history make such revolutions too serious to be accepted rapidly, and give a wariness as to the necessity claimed for them. The Catholic's readiness to submit to authority, his final trust in the Church, which makes so much of his speculation tentative—which is based on a sense of the great limitations of the individual intellect in any particular inquiry and the consequent conviction that to desist from a line of speculation at the word of authority may best serve the interests of truth—this spirit failed in Germany in some noteworthy instances."—2nd edit. vol. II. pp. 211–212, 1897.

To save repetition we give here the titles and editions of some of the books more frequently referred to in the following pages.

Carpenter and Battersby, *The Hexateuch according to the Revised Version*, arranged in its constituent documents by members of the Society of Historical Theology. Oxford, 2 vols., Longmans, 1900.

Cooke, M. A., Rev. G. A., *A Text-Book of North-Semitic Inscriptions*. Oxford, Clarendon Press, 1903.

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Ball, Rev. J. C., *Light from the East*. Eyre and Spottiswoode, 1899.

Driver, D. D. Rev, S. R., "*Hebrew Authority*" *in Hogarth* "*Authority and Archaeology*." John Murray, 1899.

Driver, D, D. Rev. S. R., *A Critical and Exegetical Commentary on Deuteronomy*. (The international and Critical Commentary Series.) 2nd edition, 1896. T. and T. Clark, Edinburgh.

Schurer, D. D., M. A., Emil. *A History of the Jewish People in the time of Christ*. English Translation in five vols., from the second German edition. T. and T. Clark, Edinburgh.

Hommel, Dr. Fritz, *The Ancient Hebrew Tradition as illustrated by the Monuments, a Protest against the Modern School of Old Testament Criticism*. English Transl. S. P. C. K., 1897.

Kuenen, A., *An Historico-Critical Inquiry into The Origin and Composition of the Hexateuch*. Transl. from the Dutch by P. H. Wicksteed. Macmillan, 1896.

Wellhausen, Julius, *Prolegomena to the History of Israel*. Transl. from the German by J. Sutherland Black and Allan Menzies. Preface by Prof. W. Robertson Smith. Edinburgh, 1885.

Ginsburg L. L. D., C. D., *Introduction to the Massoretico-Critical Edition of the Hebrew Bible*. London, 1897.

Brown, Driver and Briggs, *A Hebrew and English Lexicon of the Old Testament*. Oxford, Clarendon Press, 1892–1896.

CHAPTER I.

The Traditional View and the Modern View.

We have all been brought up to regard the Bible as a systematic whole, and while fully conscious of the fact that many writers combined to form this wonderful library of Divine teaching, we have been ever wont to merge their diverse characteristics, whether of time, place, language, or mode of composition, in the Unity of God the Principal Author. And we have been wont, too, to take the Divine teaching precisely as it sounded, the history we have read as history and as a record of sober fact, and the poetry we have understood as such, though perhaps often hampered by the difficulty of bringing our Western minds into line with Oriental modes of thought. Even the very order of the Books has been to some extent sacro-sanct in our eyes, and without, perhaps, endorsing St. Augustine's *Ordo Psalmorum, magnum sacramentum*, we have taken the order of the historical books at least as a natural basis for all systems of chronology. We have accepted Genesis, Exodus, Leviticus and Numbers, as containing Moses' account of God's creation of and dealings with this world up to the time when the children of Israel crossed the Arnon and camped in the plains of Moab; and Deuteronomy we have ever regarded as Moses' last grand exhortation to his flock to keep that law which he had so painfully expounded to them during eight and thirty years. Josue and Judges, too, we have looked upon as at least a very early record drawn from contemporary sources of the events which took place approximately between the years 1450–1100 B. C. Those books depicted, to our thinking at least, the long years of alternate apostasy and repentance which followed on the first occupation of the land by

the Hebrews; they shewed us, just as we should have expected, the failings of a people as yet unripe for so high a form of government as the purely Theocratic. And the change from the pure Theocracy to the mixed Theocratic Monarchy we found sketched for us in the two Books of Samuel which brought us down to the year 1015 or thereabouts; these books shewed us a nation, which had once failed, now endeavouring to carry out its ideals; we saw a Theocratic king, God's vicegerent; we saw a kingdom gradually unifying itself; we found one city chosen as the capital; and above all we found their God-given religion, the neglect of which had proved their bane, now fully enforced.

And so as we took up Book after Book all followed naturally; we found the turbulent reign of David closing in peace, and Solomon heir to a throne firmly established, and at peace with all his neighbours. But, again as we should have expected, the inevitable result of luxury follows, viz: decadence; and in spite of all the glory of Jerusalem and its Temple, the Northern tribes separate themselves off from the Southern, and the lamentable story of the Schism follows. Indeed, these Books constitute a veritable drama, kings good and kings bad succeed one another, and upon them all the inspired writer passes judgment and he judges them by the standard which we should have expected, that namely of the Mosaic Law. The history draws to a close and we are told first of the destruction of Samaria and then of that of Jerusalem, and in each case the writer appends a homily in which he dwells upon the unfaithfulness of the Hebrews to the Law of the God of Israel as being the cause of their misfortunes.

Now hitherto we have seen no reason to suppose that the writers of these histories were not well equipped for their task, or that they intended to put down anything but what they believed to be a plain and unvarnished account of events as they really happened. And when we turned from them to the Prophetical Books we found what we expected to find, namely that the Prophets, vicegerents of God, strenuously fought against the prevailing corruption, that their one theme was the Oneness of God, and that their doctrine was based on the Mosaic Law. Moreover, for these inspired teachers, the Law and the Monotheism it taught, had its safeguard in the one Divinely-chosen

site of the sanctuary, viz: Jerusalem, where alone solemn sacrifice could be made. For the Prophets felt, as Moses before them had felt, that if men sacrificed elsewhere their belief in the Oneness of God would be imperilled. But, as usual, the Prophets were not listened to and the inevitable result came in the destruction of the city and its Temple and in the dispersion of the nation; nothing but the exile could purify them, nothing but grievous affliction could secure the enforcement of the Prophetical teaching.

Thus we have all been taught, and so the Bible has always seemed to say. Yet this reading of the Sacred text is not of faith, it has never been defined, it forms no part of the Church's Creed, it is not binding on any of the Church's children. None the less it has ever been the view of learned and pious men who have made the Bible the study of their lives.

But of late years all this has changed and a School of critics has arisen which claims to have proved irrefutably that we must leave the old landmarks and must re-read our Bibles if we would arrive at a right understanding of the history and religion of Israel. And this School starts from no religious prepossessions. Men of every shade of religious conviction and of every known creed adhere to its views, for its basis is, at least in part, the literary study of the documents on which the history of Israel rests. It is, then, a critical, not a religious, School, and it claims that before we can rightly understand Israel's history and its teachings we must get behind the history as we now have it presented to us in the Bible; we must, by a critical analysis of the text itself, endeavour to arrive at a knowledge of the documents made use of by the compilers of the historical Books. Then, and only then, so it is maintained, shall we be able to read that history aright.

The story of the rise of these critical views is familiar, but for the sake of clearness we must here give a brief resumé of it.

Modern students claim to have established the four following propositions:

(*a*) The Pentateuch is a compilation from various sources which are due to different authors.

(*b*) This composite work bears traces of a later date than that hitherto assigned to it.

(*c*) This compilation was not even completed by the time assigned by the Critics for the composition of Deuteronomy, viz: towards the latter end of the seventh century, B. C.

(*d*) The Pentateuch, as it now stands, clearly bears the impress of a gradual growth during the centuries which elapsed between Moses and Malachi.

These conclusions are startling; they result, if true, in nothing less than a complete upheaval of the old traditional views. And not less startling is the unanimity of modern investigators in regard to these conclusions. Time was when conservative students of the Bible made merry over the divergent views of the "Critics," but nowadays we are told that he would stand self-convicted who should sneer at either their scholarship or their sincerity. And the thoroughness with which the question has been investigated will be at once apparent from the following sketch of the successive phases through which the critical problem of the literary history of the Bible has passed. In 1763 Astruc, who, as Goethe said, was the first to apply the knife and probe to the Pentateuch, suggested that the very noticeable divergence in the use of the names given to the Deity in Genesis might be indicative of the different documents of which Moses made use. Astruc distinguished at least two main documents, the Elohistic and the Jahvistic, and ten minor ones. Eichhorn (d. 1827) followed him but simplified his predecessor's views by only allowing two main documents which he supposed to have been combined towards the end of the Mosaic age and to which he thought certain evident glosses had been added in the course of subsequent editing.

Thus were laid the foundations of the *Document-Hypothesis*. It fell, however, into disrepute with many scholars by reason of the readiness shewn by some, notably Ilgen (1763–1834), to break up the Pentateuch into a meaningless collection of fragments. The next theory which met with an approach to general acceptance has been termed the *Supplementary-Hypothesis*, it was supported by such scholars as De Wette (1840), Delitzsch (1860), and Knobel (1861). These critics held that the so-called Elohistic document constituted the basis or "Grundschrift" round which the others were grouped. It is worth noting that even at this early stage the main division into four documents was practically

unanimously accepted by critics, and though they differed in the nomenclature they individually adopted they were yet fundamentally in accord. It is noteworthy, too, that though they differed considerably regarding the dates to be assigned to three out of their four documents they were almost unanimous in attributing the fourth, namely Deuteronomy, to the age of Josias, viz: to the end of the seventh century, B. C.

But the view that the Elohistic document constituted the groundwork around which the other documents were grouped was soon felt to be untenable, and after the publication (1853) of Hupfeld's "Sources of Genesis" it was generally agreed that whatever sources could be separated out were really independent of one another originally but had been grouped together by an editor. Nowadays all the various Schools of critics agree in distinguishing four principal documents, or their authors, as follows:

(1). The *First Elohist* or author of the "Priestly Code," and commonly known as **P**; his work is considered to be the basis of the whole Pentateuch in its present state, but cf: infra. This document is thought to be discoverable in large portions of Genesis, in practically the whole of Exodus and Leviticus, and traces of it are said to occur in Numbers and Deuteronomy.

(2). The *Second Elohist* or **E**; is often termed the "Theocratic Narrator" from the way he insists upon the Theocratic form of government.

(3). The *Jahvist* or **J**; is regarded as the "Prophetical Narrator" and is generally allowed to be closely akin to **E** in his style and in the sentiments he expresses. It is thought that the two documents were early combined, hence they are usually referred to by the letters **JE.**

(4). The Deuteronomist or **D**; the author of our Book of Deuteronomy. He is supposed to be distinguished by his hortatory style and by a series of expressions peculiar to himself. It is thought that he wrote with **JE** before him, hence he is often referred to as **R** or the Redactor.

Lastly, it is held that these four documents were welded into one by an editor, or body of editors, of a much later date.

But though critics were thus early agreed in differentiating these various documents it was long before any real unanimity

existed amongst them touching the relative dates of each. So long, indeed, as none but literary criteria were available critics were generally inclined to regard **P** as the earliest document in point of time and **D** as the latest, but even then they differed considerably in assigning precise dates to each. Thus Schrader would assign **P** to the eleventh century, Noldeke would refer it to the ninth, while Delitzsch would place it some time previous to the Exile. Again, Schrader would assign **E** to a time just previous to the Schism, Noldeke would prefer the ninth century, and Delitzsch is content to put **JE** between Solomon and Isaias. All, however, agree in saying that Deuteronomy dates only from the time of Josias, viz: the seventh century.

Before proceeding to give the views of the latest and most revolutionary School of all, it will be as well to state as clearly as we can the grounds on which the afore-mentioned Schools base their division of the various documents, and also the criteria by which they attempt to assign them to certain definite periods of time.

(1). As stated above, critics have, ever since the days of Astruc, maintained that the various names for the Deity which occur in Genesis and in the rest of the Pentateuch are not used hap-hazard as we, for instance, use indiscriminately the names, God, the Lord, the Almighty, etc., but that now one name, now another, is used consistently; and it is consequently claimed that the Pentateuch, at least in its early portions, can be broken up into sections according as the writer uses now one, now another, Divine Name. This is the starting point of the Documentary theory, but it is clear that it is not in itself sufficient to prove the correctness of that theory. Critics, however, affirm that once we have this key in our hands we find that the view it suggests is abundantly confirmed by a host of details; thus it is asserted that a careful examination of passages in which the name Jehovah, for instance, is used to the exclusion of that of Elohim, will at once shew that the writer who particularly affects the former Divine name has an easily distinguishable *vocabulary* of his own and that by its means anyone who has studied that writer's language can at once, independently of the occurrence of any Divine name, affirm with confidence that this or that passage is to be attributed to either the Elohistic or the Jahvistic writer as

the case may be. Moreover, they maintain that it is not a question of vocabulary merely, but of *style* as well, and they talk with absolute confidence of the style of the Jahvist or of the Elohist as being easily distinguishable by anyone accustomed to read the Bible in the original. Nor is this all, for according to these critics, when once the documents have been thus differentiated it becomes evident that the varying *religious conceptions* presented in the Pentateuch can be apportioned to the users of different Divine names and we are thus enabled to say that the Jahvist is anthropomorphic in tone, or that the Elohist is fond of dwelling upon dreams, is an antiquarian, has an interest in the local shrines, and betrays an especial acquaintance with Egypt and its customs. In the same way, too, we are told that the Deuteronomic writer can be distinguished not merely by his hortatory style but by his centralising policy; while the hand of the Priestly writer is evident when it is question of ceremony and religious worship.

And a study of other features of the Pentateuch is said to afford us abundant confirmatory evidence of the view suggested. These features may be conveniently grouped under two heads, viz:

(*a*). *Doublets and Discrepancies.* There are in the Pentateuch many passages where we seem to have the same incident given more than once, critics appeal to these and, with some reason, declare that their view and only their view, viz: the Documentary Theory, can give a reasonable explanation of these so-called doublets. Thus, according to these scholars, we have in the *historical* portions of the Pentateuch two accounts of the Flood, of the history of Joseph, of the revelation of the Divine name Jehovah, of the naming of Bethel, of the miraculous flock of quails and of the bestowal of manna, etc., while it is even maintained that in Numbers xvi., no less than three accounts of the rebellion against Moses and Aaron are woven together. What more natural, it is asked, than that such meaningless repetitions should occur if the Pentateuch is a composite work? But, on the other hand, how unintelligible they become on the traditional view that the Pentateuch is the original work of one man and not a compilation! And these doublets are not confined to the historical portions, they are said to be even more

striking in the *legal* portion of the Pentateuch. There are, so critics declare, three distinct legal Codes enshrined in the Pentateuch, viz: the **Book of the Covenant** (Ex. xx–xxiii and xxxiv); the **Priestly Code** which, as already said, embraces most of Leviticus and Exodus; and lastly the **Deuteronomic Code.** And since these three Codes contain, so it is said, conflicting enactments, it is evident that they must belong to different periods of Israel's history. Two points are especially singled out as indicating discrepancies between the Codes, namely the legislation concerning the **altar** and that concerning the **Priesthood.** Thus it is maintained that the Book of the Covenant (Ex. xx, 23–24) lays down that the altars used must be of earth but that they may be in any place and in any number; the Deuteronomic Code on the other hand insists most strenuously that there shall be only one altar, (Deut. xii and xvi); and finally the Priestly Code, while seeming to take for granted that there is only one altar, declares that it is to be of wood and brass (Ex. xxvii, 1–8). Again, with regard to the Priesthood, it is roundly declared that **JE** mentions no Priestly caste, that Deut. assumes that all Levites indiscriminately are Priests, and that the Priestly Code carefully distinguishes between those Levites who are sons of Aaron and those who are not so, the former alone are, in this Code, regarded as Priests.

(*b*). *Post–Mosaica.* It has always been conceded by the most strenuously conservative critics that there are in the Pentateuch many passages which cannot well be from the hand of Moses since they bear evident traces of a later date. But modern critics now point to these and ask whether it is not much more logical to accept the explanation which their theory offers, namely that the so-called "post-Mosaica" are not merely a large series of later additions, but that they constitute a veritable proof that the Pentateuch as a whole is a work which dates from a time long subsequent to Moses? They point to such passages in the *historical* sections as Gen. xxxvi, 31. "Before there reigned any king over the children of Israel"; also to the references to the Canaanites in Gen. xii, 6 and xiii, 7; to the expression "the land of the Hebrews," Gen. xl, 15; to the remarkable statement in Deut. ii, 12; that the Canaanites were at the time of speaking already driven out of Palestine; they also

point to apparent references to the Temple at Jerusalem in Ex. xv, 13 and 17. Similar hints of a later date occur in the *geographical* portions as well; thus Jos. xiv, 13 and xv, 13 seem to imply that the name Hebron was only given to Kiriath-Arbe after the time of Moses; the same may be said of the name Dan in Jud. xi, 29 and Jos. xix, 47. It is also remarkable that the terms which Moses uses for the points of the compass should be those which are only intelligible if he spoke or wrote on the West and not the East side of the Jordan; even the expression "beyond Jordan" is often accompanied by the words "towards the sun-rising" from which we can only gather that the speaker or writer took his stand on the West and not on the East of the Jordan; but as Moses never was on the West of the Jordan he certainly cannot have been the author of the passages in question. To assert that these various passages are merely later insertions is, so we are told, to beg the whole question, nay to fly in the face of the evidence, for these are not isolated and occasional discrepancies but are frequent and spread over the whole Pentateuch. But in the eyes of modern critics it is the *legislative* portions of the Pentateuch which most clearly betray their post-Mosaic date. According to them the legislation in many places seems to suppose that the people for whom it is drawn up are already in possession of the Promised Land and have been for some time addicted to the pursuit of agriculture; we are referred to such passages as Ex. xiii, 19, where we are told to see a reference to the temple; to Deut. xii, 14, where permanent landmarks are supposed; and to Deut. xx, where wars of extermination against the aboriginal inhabitants of the land are spoken of as already familiar.

These, then, are in brief some of the data which have moved critics to reject the Mosaic authorship of the Pentateuch. It will be seen that they are purely literary, and critics were not slow to realise that though these literary criteria might suffice for the differentiation of the various documents they did not provide sufficient data for arriving at any precise determination of the periods of time to which these documents should be referred.

It was reserved for a new School to do this and the principles which guided them in their investigations are expressed

in the name given to the theory which they have brought into vogue, viz: the **Religious-Evolution School.** Assuming the diversity of documents, and assuming, too, that the discrepancies to which we have referred above were incompatible with unity of authorship, a body of scholars proceeded to cast about for some explanation which should enable them to formulate a consistent homogeneous theory embracing all the various "facts" which modern study of the Pentateuch had brought to light. They began by studying the Pentateuchal legislation in the light of the history of the Hebrews as it is presented to us in the historical books, and by comparing each code given in the Pentateuch with the successive historic ages. As the result of their studies they claim to have proved that the documents with whose names we have now been made familiar stand to each other in the following order:—**JE, D, P.** But more important than the relative order of the documents is the question of the dates which these scholars assign to them. We, indeed, have been wont, and we were but following the old Hebrew tradition, to talk of "the Law and the Prophets," but now we are told that we shall have to relegate that expression to the limbo of forgotten heresies. For the Religious-Evolution School claims to have proved that the Prophets and their teaching are not, as we have always thought, the outcome of the Law, but its forerunners and, in a sense, its forebears; in short we must no longer talk of "the Law and the Prophets" but of "the Prophets and the Law." The main proof adduced for this astounding proposition may be stated syllogistically thus:

> Deuteronomy insists on only one altar.
>
> But the subsequent history of the days of the Kings shews us many altars in use, and this without any blame attaching to those who availed themselves of them.
>
> Therefore, since Deuteronomy marks a reformation, it could not have existed in the time of the Kings.

A whole host of subsidiary arguments, with which we are not here concerned, are brought forward in support of this conclusion. If we ask: what, then, led to the composition of Deuteronomy? we are told that it was the result of a natural religious evolution. For the Prophets insisted on the claims of

monotheism, but they saw that their words would never have any effect so long as the populace were at liberty to sacrifice whenever and wherever they pleased; consequently they urged that the worship of the One only God should be confined to Jerusalem, and this centralising policy of theirs reached its climax in the Book of Deuteronomy. But the Prophetic class reached its apogee during the time of Josias (641–610) who carried out a drastic reform in the interests of the Prophetic Monotheistic creed as formulated in Deuteronomy. Deuteronomy, therefore, belongs to the time of Josias.

At the same time it is not pretended that the Prophets invented their creed, for they betray a knowledge of the Law, not indeed as it is presented in Deut. but as in **JE**, this latter code must then date from a time anterior to the earliest Prophets whose writings have come down to us, viz: Amos and Osee who flourished in the eighth century. Finally, whereas those who had not taken into account this religious evolution had been content to refer the Priestly Code to a period little posterior to David and Solomon, the critics of the latest School declare that **PC** shews manifest traces of the influence of Deuteronomy and thus marks a subsequent stage of religious evolution. But if Deuteronomy only dates from the age of Josias (641–610), it is evident that there is no time for the composition of **PC**. between his reign and the Exile (588). **PC** must, then, have been composed after the Exile, and probably even after the Restoration in 536.

Such are the tenets of the Evolutionary School, they are supported by an amazing wealth of learning, and the names of their founders, Graf, Wellhausen, and Kuenen, are ever on the lips of those who claim to be up-to-date in advanced Biblical criticism.

We are not here concerned, except incidentally, with the Documentary Theory itself,[1] though it of course is the keystone of the edifice, but we propose to examine in detail the evidence brought forward in favour of the late date of Deuteronomy. For though the Documentary Theory may be rightly termed the basis

[1] But see Everts: "The Polychrome Bible Tested by the Assyrian Flood-Tablet". Homiletic Review Aug: 1900,

of modern views on the composition of the Pentateuch, yet from another point of view the date of the Book of Deuteronomy may well be considered the keystone. For, as we have already pointed out, even in the early days of Pentateuchal criticism scholars were practically unanimous in regarding the seventh century B.C. as marking the time of its composition.

* * *

We will, for the present, defer stating our own view as to the character and scope of Deuteronomy, but will attempt to sketch briefly the view of this book which commends itself to modern critics.

We have seen how critics have broken up the Pentateuch, and we have especially seen how they regard it as a collection of Legal Codes. It is not surprising, then, to find that they hold views with regard to the character of Deuteronomy which are very different from the view which, on the traditional estimate of the Pentateuch, we should naturally hold. Thus Driver says: "In so far as Deuteronomy is a law-book, it may be described as a manual, addressed to the people, and intended for popular use, which, without as a rule entering into technical details would instruct the Israelite in the ordinary duties of life. It does not embrace a complete corpus of either the civil or the ceremonial statutes that were in force when it was written: it excerpts such as were, in the author's judgment, most generally necessary for the Israelite to know, and best adapted to exemplify the moral and spiritual principles which it was his main anxiety to see practically recognised by Israel. Deuteronomy thus combines the spirit of the prophet and the spirit of the legislator: it is a *Prophetical law-book*, a law-book in which civil and ceremonial statutes become the expression of a great and spiritual ideal, which is designed to comprehend and govern the entire life of the community." [1]

Similarly Kuenen, who says Deuteronomy "is essentially addressed to the people and is an appeal to their zeal for Yahwe." And again when upholding the view that the book was composed

[1] Comment: p. xxvi. cf: also p. xxxi., etc.

in the time of Josias, he says: "If we cannot believe in the possibility of such a compromise we must take up the position that what we have called the dress of the book is the simple expression of the historic truth." [1]

In the same way Wellhausen tells us that "as the Jehovistic work was originally a pure history-book, so Deuteronomy, when first discovered, was a pure law-book, Chap. xii-xxvii. The two historical introductions, Chap. i-iv and Chap. v-xi. were added later, as well as the appendices, Chap. xxviii. seq. These two works, the historical and legal, were at first quite independent of each other; only afterwards were they conjoined, perhaps that the new law might share in the popularity of the old people's book, and at the same time infuse into it its own spirit . . . The situation—of which the law itself knows nothing—is very well chosen, not only because Moses is entitled when making his testament to anticipate the future and make a law for the time to come, but also because the law being placed at the close of his life, the thread of the narrative is not interrupted, the law being simply inserted between the Pentateuch and the Book of Joshua." [2] Elsewhere he says: "The connecting link between old and new, between Israel and Judaism, is everywhere Deuteronomy." [3]

Such a view of Deuteronomy is, as already said, revolutionary. We shall see in the course of the following pages whether the grounds for thus separating it off from the rest of the Pentateuch are adequate, whether, too, the view of the Book itself which they advocate is justified by the facts.

* * *

As we shall have occasion to say many seemingly harsh things about the "Critics" in general we should like to put before our readers a few facts which have come to our notice, and which will, we feel confident, demonstrate the *absolutely uncritical* way in which their researches are often carried out.

1. Wellhausen, *Prolegoma,* p. 124, talks of "the Deuteronomic lawgiver" as "giving to the extraneous Levites an equal

[1] Hexateuch. p. 219.
[2] Prolegomena p. 345. & note.
[3] ibid: p. 362.

right of *sacrificing* in Jerusalem." If any one can find this passage in Deuteronomy we shall be surprised. In Deuteronomy xviii. 6, 7 we read; "And if a Levite come from any of the gates out of all Israel . . . unto the place which the Lord shall choose, then he shall *minister* in the name of the Lord." What right Wellhausen has to translate שרת by "sacrifice" is not for us to determine; we presume that it suited his purpose!

2. Carpenter and Battersby, *The Hexateuch,* have a section (vol. i. pp. 70 97) on the date of Deuteronomy. When discussing the testimony of history they write as follows: "A preliminary caution is, however, necessary. It has become abundantly clear that many of the books of the Old Testament have undergone continuous editorial manipulation. Older materials have been recast, additions have been inserted in the text, and earlier accounts have been expanded to bring their representations into harmony with later standards of pious usage. The books of Judges and Kings especially exhibit clear traces of Deuteronomic influence; this was the form of Mosaic tôrâh by which the compilers of the national annals judged the persons and events of the past. The evidence, therefore, must sometimes be read in another light than that in which it is actually presented. And the unconscious testimony of the record may be of more significance than the historian's positive assertions." Surely comment is superfluous!

3. A little later on, p. 80, the same writers say: "In the Shiloh temple, Samuel, himself *no Levite,* still less a priest . . ." We stare and rub our eyes and then turn to 1 Chronicles vi. 33-35, and we find Samuel amongst the sons of Caath, and the genealogical tree appended is the same as in 1 Samuel i. 1. Again, comment is superfluous!

4. In the same work, pp. 79, 80, we have another typical instance of what would, if it occurred in the writings of a member of the Conservative School, be at once signalised as a case of gross want of scholarship. It is question of the numerous local sanctuaries, and we are told that "prior to the Jerusalem temple there is no trace of any exclusively authorised sanctuary. The Mosaic tent is fixed at Shiloh (Jos. xviii. 1), but there is even in Joshua's time a holy place at Shechem." Now we have no quarrel with this; it is with the appended note that we quarrel.

It runs thus: "The Greek text reads Shiloh in Joshua xxiv. 1, and this reading is adopted by Gratz." In other words, the LXX witness is not absolutely rejected because it does not run counter to the writer's views, for one more or less among the large number of local sanctuaries could make little difference to the argument; it does not, however, confirm his theory, and consequently is relegated to a note. But on the very next page the witness of the LXX proves very useful, for the Massoretic text runs counter to the critic's views; he consequently says: "This passage (in the Hebrew text) is recognised as an addition by the fact that it is not contained in the original Greek text, and its testimony cannot, therefore, be accepted." Is this scholarship? A witness suits our purpose, we put him in a prominent position; on another occasion the same witness does not suit our theory, we relegate him to a note!

5. One of the favourite arguments of the critical school for assigning Deuteronomy to the seventh century is derived from the warning given in xvii. 3 against worshipping the "Host of heaven," and we will transcribe in full Kuenen's words on this subject as they are illuminative regarding the so-called "critical" methods: "The prophets of the eighth century never mention this form of idolatry, but Jeremiah viii. 2, xix. 13 and Zephaniah i. 5 do. The author of 'Kings' tells us that it was introduced by Manasseh and abolished by Josiah (2 Kings xxi. 3, 5, xxiii, 4, 5). This argument would be conclusive for the date of the deuteronomic law"—that is to say, though Kuenen does not say it, it would be destructive of the critical hypothesis—"were it not that the same author attributes this form of idolatry to the ten tribes also (2 Kings xvii. 16). But this is a general survey of a long-vanished past which is characterised by anything but precision; nor is it supported by the evidence of Amos and Hosea, for example, or by any statements of the author himself concerning the introduction or patronage of this special idolatry by the kings of Ephraim. We can, therefore, attach no value to this statement, and cannot allow it to invalidate the conclusions drawn from his precise and positive data as to Manasseh and Josiah" (*The Hexateuch*, p. 218).

6. In Deuteronomy vii. and xiii. we have a series of very drastic enactments against the heathen nation, and conservative

critics have very naturally appealed to these as proof of the antiquity of Deuteronomy, for it was felt that these were out of place in the later age to which critics would assign the book. To our thinking the argument is irrefutable, and perhaps the best proof of this is afforded by a study of the answers which critics have attempted to give. Thus Professor Driver says: "These are included in Deuteronomy, partly, no doubt, because they formed an element in the older legislation (Exod. xxiii. 31–33), and were ascribed traditionally to Moses, but chiefly because, by the drastic completeness with which they sought to secure Israel against pernicious religious influences, they were a significant protest against the fashion of the age, and afforded the author a means of expressing indirectly his profound abhorrence of practices which he knew to be subversive of holiness (*cf.* xii. 31). In estimating these injunctions it must, of course, be remembered that in the age when Deuteronomy was written, the times when they could be enforced had long passed away; they had consequently only an *ideal* value; they bear witness by their severity to the intensity of the author's convictions on the subject."

Who shall absolve this from the charge of "special pleading"?

* * *

We have seen what the critical view of Deuteronomy is; it remains to see on what that view is based, and whether the grounds alleged in its favour are really solid.

Critics, first of all, proceed to show that Deuteronomy is really independent of the rest of the Pentateuch and actually belongs to a much later date. They then cast about for a date which suits Deuteronomy as interpreted by themselves, and they naturally turn to the passage in 4 Kings xxii–xxiii., where we have the account of the discovery of the "Book of the Law." They identify this "Book" with Deuteronomy and then proceed to argue that this "discovery" was not really such but only a veiled way of saying that the "Book" was *written* at that time. Having satisfied themselves of this, they look for confirmation of their view, and claim that a re-examination of Deuteronomy itself will now show how exactly it is suited to that period, *viz.*:

the reign of Josias (641–610), and no other. A comparison of Deuteronomy with the Prophetical literature is said to confirm this view, and the Deuteronomist is declared to be the child of Osee and Amos, and the parent of Jeremias and Ezechiel. We shall take each of these points in turn and examine them for ourselves. And in order to do all possible justice to the critical view we shall, whenever possible, quote their own words.

CHAPTER II.

Deuteronomy is Independent of, and much Later than, the Rest of the Pentateuch.

"The book of Deuteronomy occupies a peculiar position in the Hexateuch. The question at once arises as to its connection with what precedes. On the traditional hypothesis of unity of authorship a very singular phenomenon presents itself. Chronologically the book belongs to the same year as the concluding chapters of Numbers xxvi–xxxvi. In that group of narrative and law the organisation of the people is regularly described by certain terms, 'congregation,' 'tribe' (מטה), 'princes of the congregation;' the Levites are formally endowed with forty-eight cities (xxxv. 1-8); Joshua receives a final charge from Moses (since his end is near), (xxvii. 18), and is solemnly set before Eleazar the priest and all the congregation. But in the book of Deuteronomy all this is changed. The 'congregation' disappears and an 'assembly' takes its place. The tribes are always designated by another term (שבט); and the princes are converted into 'heads of tribes' and 'elders.' The Levites are declared to have no inheritance; they live scattered among the homesteads of the people; and in consequence they are constantly commended to public charity along with the widow and the orphan. Finally, on the approach of Moses' death (xxxi. 14), he gives Joshua a solemn charge. No mention, however, is made, of Eleazar the priest nor of the congregation. Yahveh himself is at once its witness and its sanction, standing in the pillar of the cloud by the entrance of the sacred tent. These are but a few of the obvious differences which divide Deuteronomy from the supposed contemporary passage (Num. xxvi–xxxvi.). The basis of comparison is sufficiently large to prove that the same writer

could not have written both. Three lines of evidence lead to a common conclusion. In the first place, the vocabulary changes completely at the opening of **D**, and the change is consistently maintained (save for a few verses) throughout the book. Secondly, in its historic allusions **D** takes again and again a different view of the actual facts. And, thirdly, it ignores the legal and religious institutions assumed or enacted in Numbers xxvi–xxxvi, and produces fresh ones of its own. Why, for example, after an elaborate law has been ordained in xxxv. 9–34 for the provision of cities of refuge for accidental homicide, should it be necessary to repeat it within a few months with different arrangements and a fresh set of formulae in Deuteronomy xix. 1-13? It will perhaps be admitted that a *primâ-facie* case has been established for the view that among the Five Books **D** may be tentatively regarded as a separate literary whole." [1]

Here we have a definite statement as to the independence of Deuteronomy, no attempt is made to date it but it is claimed that the book clearly stands by itself. For clearness' sake we will arrange in parallel collumns the statements here made concerning the terminology and the historical outlook of the two books:—

Numbers xxvi-xxxvi.	Deuteronomy.
I. "Tribe" = מטה.	I. "Tribe" = שבט.
II. "Congregation" = עדה.	II. "Assembly" = קהל.
III. "The Princes of the congregation."	III. "The Heads of the tribes," the "Elders."
IV. The Levites have forty-eight cities.	IV. The Levites have no inheritance, but are scattered amongst the tribes.
V. Josue's appointment is made subordinately to the acceptance of him by the Priesthood.	V. No mention is made of the Priesthood in this appointment of Josue.

We will take each point separately.

I. "In Numbers the Hebrew word for 'tribe' is שבט, in Deuteronomy it is מטה." Now there is no doubt that the former

[1] Carpenter and Battersby, *Hexateuch*, vol. i. p. 41.

word for "tribe" is used in Numbers very largely, indeed out of some 150 occurrences in the Pentateuch at least 100 are to be found in Numbers. Similarly, it is true that the word שבט for "tribe" occurs more frequently in Deuteronomy than elsewhere, *i. e.*, twenty out of thirty-six occurrences in the Pentateuch. It is also true that the word מטה does not occur once in Deuteronomy. But is it a necessary deduction from all this that the author of Deuteronomy cannot have been the author of Numbers? To justify so sweeping a conclusion we should require (*a*) that שבט never occurred in Numbers, whereas it is found there six times, on two occasions in the very chapters xxvi–xxxvi. which are under discussion. (*b*) We should also require that the "tribes" were mentioned in Deuteronomy almost as frequently as in Numbers, which is manifestly not the case. (*c*) Again, to justify the deduction which has been made, Deuteronomy and Numbers should be not merely connected in point of time but also their subject-matter should be approximately the same; to this point we shall return at a later period. (*d*) And lastly, the very expression which is declared to be so characteristic of Deuteronomy should not occur in Numbers; yet in Numbers xxxii. 33, we read: "Moses therefore gave to the children of Gad and Reuben, and *the half tribe* of Manasses, ולחצי שבט מנשה," and when we turn to Deuteronomy iii. 13 and xxix. 7 we find exactly the same Hebrew expression. In other words the term שבט is not peculiar to Deuteronomy any more tham the term מטה is peculiar to Numbers though it is true that the latter is not found in Deuteronomy. But it seems to us that the real solution of the difficulty lies in the genius of the Hebrew language. Conceding, with the reservations indicated above, that in Numbers xxvi–xxxvi. we have מטה and in Deuteronomy שבט, would it not be more scholarly to seek the explanation of the use of these different terms in the precise signification of the two terms rather than in diversity of authorship for the two passages in which they occur? Now מטה is derived from נטה which means 'to stretch out' or 'spread,' a root which justifies us in attributing to its derivative מטה the meaning of 'branch' or 'shoot' and thus of a 'tribe' as being derived from a parent stem. The word will thus signify the tribe in its origin and in its extent, hence the expression ראשי המטות "the heads of the tribes" (Num. xxx. 2), which is parallel to אלה קריאי העדה נשיאי

מטות אבותם "these are the most noble princes of the multitude by their tribes and kindreds" (Num. i. 16; *cf.* vii. 2, xiii. 3). But the word שבט, though very similar in signification, has yet a delicate distinction of meaning which can escape no true Hebraist. It is derived from the root שבט meaning "to beat," it thus essentially denotes "authority" and hence a "tribe" precisely as ruled by a chieftain. The relation between the two terms is well brought out in Numbers xvii. 2, "And take with thee thy brethren also of the *tribe* (מטה) of Levi and the *sceptre* (שבט) of thy father;" no one will suppose that it means that Moses is to take his father's sceptre in his hand!

But, if we mistake not, it is precisely this distinction of meaning which will explain the use of מטה in Numbers, and that of שבט in Deuteronomy. For in Numbers when the tribes are mentioned it is nearly always with regard to their number and extent, and we read of their numbering, or of their arrangement, or of their journeys. But in Deuteronomy all is changed; it is no longer question of the numbers or extent of the tribes nor of their arrangement, nor of their journeys, but Moses is represented as speaking to the whole assembled people; they are indeed gathered before him in their thousands, but they are now a unified body, and are about to act as such for the first time. Hence Moses addresses the tribes as units composing the whole; he regards them not so much as being a vast multitude but as twelve units which form a homogeneous whole. And those very units he looks at from the point of view of the one stock שבט from which they have sprung. It is an appeal to their patriotism which he makes, an appeal to the ancestor whose name they bear. Hence his use of the expressions which critics take to be a sign of different authorship זקני שבטיכם "the ancients of your tribes," xxxi. 28; and ראשי עם יחד שבטי ישראל, "When the heads of the people were gathered, all the tribes of Israel together," xxxiii. 5, 21. The very opening chapter indicates the same point of view on Moses' part: "Take your wise men, and understanding, and known, according to your tribes, and I will make them heads over you . . . So I took the heads of your tribes, wise men, and known, and made them heads over you, captains of thousands, and captains of hundreds, and captains of fifties, and captains of tens, and officers, according to your tribes." And in xxix. 9 the

same idea is put forward: "Ye stand this day all of you before the Lord your God; your heads, your tribes, your elders, and your officers, even all the men of Israel."

III. And as we have thus touched upon the third point, viz., "*heads of tribes*" and "*elders*," we may note that from the words of the writer quoted above it would appear that the expression "heads of tribes" was a very frequent one in Deuteronomy. He says: "The 'princes' (of Num. xxvii. 36) are converted into 'heads of tribes' and 'elders.'" But this is misleading, the expression ראשי שבטיכם only occurs once in the whole of Deuteronomy, *viz.*, v. 20, where we read, "even all the heads of your tribes and your elders," in two other places we have ראשי עם "the heads of the people," xxxiii. 5 and 21, an expression which occurs in Numbers xxv. 4, and which should be compared with the parallel passages, Numbers i. 16, vii. 2, x. 4, xiii. 3, xxx. 2, etc. The same remark must be made about the word "elders," זקנים. It is true that it occurs frequently, twenty–one times, in Deuteronomy, but it should not have been forgotten that it appears no less than eight times in Numbers.

II. We are told that in Deuteronomy "the 'congregation' disappears, and an 'assembly' takes its place.' The word for "congregation" is עדה, that for "assembly" is קהל, and it is true that the former word is never found in Deuteronomy just as the latter never occurs in Numbers xxvi–xxxvi. But it seems to us that this question runs on parallel lines with that touching the use of the words מטה and שבט. The two words are almost synonymous, but, as must be the case with all synonyms, there is room for delicate shades of distinction between them, and true scholarship lies just precisely in discerning these shades of meaning rather than in somewhat brutally disregarding them. After all, no matter how many were the authors of the Pentateuch we must at least concede to them a knowledge of their own language and a deeper knowledge of its niceties than we can possibly lay claim to. With regard, then, to these two words, the first, עדה, is derived from the root יעד meaning "to fix" or "to designate," hence the noun comes to mean "an assemby," as meeting at some definite time or place, and it is in this sense that it is used. The Revised Version renders עדה by "congregation" and קהל, by "assembly," but it would seem

preferable, if we are to go by the etymology, to transpose these two terms, for קהל (compare the Greek καλεῖν) does undoubtedly imply the idea of "convoking." And this gives us the key to the distinction between the two words, for עדה means the "assembly" precisely as met together, and if we are to insist upon the root idea contained in the word it must be referred to the designation of time or place. In the same way קהל means the "assembly," but with special insistence on the fact of the people being *summoned*. hence it is better rendered by "congregation" or "church." We can, then, apply this distinction of meanings to the use of the two words in Numbers and Deuteronomy. Granted that in Numbers xxvi–xxxvi. we do not find קהל, and that in Deuteronomy we do not find עדה, it should be noted in the first place that in Numbers we have a series of historical events, a series of occasions on which the people were assembled together, *e. g.*, xiv. 1, xvi. 41, and the point insisted on is not that they were expressly summoned but that they were together, and the LXX and the Vulgate have evidently noticed this, for they translate the word עדה, which is so much used in Numbers, by συναγωγή and "multitudo" respectively. When, however, it is a question precisely of the people's being *summoned* not only is the verb קהל used in Numbers, but we repeatedly find the noun קהל as well, *e. g.*, "But when the assembly is to be gathered together" ובהקהיל את-הקהל, x. 7; *cf.* – and note especially – vii. 11, 12 (vi., 46, 47 Vulgate) where we have an interesting example of the use of the two words side by side: "Take the censer . . . and carry it quickly unto the עדה (R. V. congregation" (Vulgate, populum, LXX, συναγωγὴν) . . . And Aaron ran into the midst of the קהל (R. V. assembly; Vulgate, multitudinem, LXX, συναγωγὴν)." On the other hand, in Deuteronomy the whole *mise en scène* is different, for here we are not in the presence of history in the making but of history which is being summed up by a speaker who has passed with his hearers through the very events upon which he is dwelling. And, what is to our immediate purpose, he is speaking as their leader from old time, though as one who is now about to lay down his charge; he is speaking to those especially who are to succed him in his office, and who are to do what he is now doing, *viz.*, summon (קהל) the people together. He never uses the word עדה, for the simple reason that it does not express his

meaning. This will be clear from an analysis of the nine passages—there are only nine after all, though the language of the critic quoted above would have led us to expect a far greater number—where the word occurs in Deuteronomy. In ix. 10, 4, xviii. 6, we have ביום הקהל, "in the day of the assembly," R. V., but better in the Vulgate, "quando populus congregatus est"; in xxiii. 2, 3, 4, 9, we have בקהל יהוה "into the assembly of the Lord," but more correctly in the Vulgate "in ecclesiam Domini." The precise meaning of the root קהל will alone bring out the true sense of these passages; and it is equally demanded in the two remaining passages. Thus in v. 19, "These words the Lord spake unto all your *assembly* in the mount out of the midst of the fire," אל-כל-קהלכם, the Vulgate, not so happily as usual, renders "ad omnem multitudinem vestram," but the reference is clearly to a solemn *summoning* of the people before the mount, for in the parallel passage Exodus xviii. 17, it is said: "And Moses *brought forth* יוצא the people out of the camp." Lastly, in xxxi. 28, God says to Moses: "Assemble unto me all the elders of your tribes"; and in v. 30 we are told that "Moses spake in the ears of all the assembly קהל of Israel ..." We cannot but think that the explanation thus afforded by a very slight examination of the text is really far more true to the spirit of the Hebrew records than the ingenious but surely somewhat tortuous investigations of most modern critics. Neither can anyone say that our explanation is merely due to *a priori* convictions, for we have certainly not read into the text any meaning which the language will not bear, and we have followed what must be conceded to be the ordinary rules of interpretation. Can the generality of Higher Critics say as much? Nay, have we not all of us felt at times, after a perusal of their pages, as though all the ordinary rules of exegesis had been set at nought, and as though the only principles which had any force with the writer were those which suited his own particular theory?

Before leaving this question, however, one important remark remains to be made. The writer whom we have been quoting spoke, it will be remembered, of Numbers xxvi–xxxvi. as being parallel to Deuteronomy. But surely there was a fallacy in his reasoning? For while we may grant that chronologically these eleven chapters should be attached to Deuteronomy, we cannot

follow the writer in question when he proceeds to argue that Numbers xxvi–xxxvi. cannot be by the author of Deuteronomy because their vocabulary is different. We cannot follow him for two very simple reasons: (*a*) We deny his right to thus separate off these eleven chapters of Numbers from the rest of the Book, and he has given no reason for his doing so beyond the fact that it suited his own convenience; (*b*) he seemingly forgets that he has himself (*The Hexateuch*, ii. pp. 231–245) assigned Numbers xxvi–xxxi. to **Pg**, *viz.*, to the "Grundschrift,' as the critics call it, of **P**, or "The Priestly Code," and he has now proceeded to assign Numbers xxvi–xxxvi. and Deuteronomy to different authors, because whereas the latter uses frequently the therms זקנים "elders," קהל "assembly," and שבט "tribe," the former does not do so. How, then, will he explain the awkward fact that these very three terms occur in passages which he elsewhere (*l. c.* pp. 200–231) attributes to the same **Pg**? That this is the case is clear, for קהל "assembly," which is, so they maintain, so characteristic of Deuteronomy, occurs Numbers x. 7, xv. 15, xvi. 33, xvii. 12, and xix. 20. The word זקנים "elders" similarly occurs in Numbers xi. 16, 24, xiv. 25; while שבט "tribe" is found in iv. 18 and xviii. 2. Facts are awkward things![1]

IV. The Levites have forty-eight cities assigned them in the Priestly Code; in Deuteronomy they have no inheritance and are scattered among the people.

As Professor Driver has formulated this difficulty very clearly, and as he regards it as of capital importance, we will give his

[1] Schurer (*History of the Jewish People*, Div. II. vol. ii. p. 59) has an interesting note in which he makes the same distinction as that given above, but denies its application in the Pentateuch. "The former" (עדה), he says, "is chiefly used in the books of Exodus, Leviticus, Numbers, and Joshua, the latter רהל in Deuteronomy, 1 and 2 Chronicles, Ezra and Nehemiah, both very frequently without real difference to designate the 'congregation' of Israel. Later Judaism, however, seems already to have made a distinction in the use of the terms, and such a one that עדה designated the congregation more on the side of its empirical reality, קהל more on that of its ideal signification; συναγωγὴ being the associated congregation as constituted in some one place; ἐκκλήσια on the other hand, the assembly of those called by God to salvation, especially like קהל the ideal church of Israel." But we think that the analysis of the use of the terms which we have made will show that Schurer is incorrect in asserting that this distinction which he brings out so clearly is not as clear in the Pentateuch as in the days of later Judaism.

words in extenso: "Deuteronomy xviii. 6 is inconsistent with the institution of Levitical cities (Num. xxxv. 1–8); it implies that the Levite has no settled residence, but is a 'sojourner' in one of the cities ('gates,' see p. lxxix.) of Israel. The provision of Deuteronomy xviii. 6 is not incompatible with such an institution, supposing it to have been imperfectly put in force; but its terms are quite general; they are not limited to any such future contingency as this, and (what is especially noticeable) they harmonise with other passages of Deuteronomy in which the country Levite is represented as destituite of adequate maintenance, and is placed in the same category with the 'stranger, the fatherless, and the widow (xii. 12, 18, 19, xiv. 27, 29, xvii. 11–14, xxvii. 11–12, foll.).'" [1] We are referred to the commentary on the passage in question (p. 218), and there we read: "In **P** 48 cities are allotted to the tribe for residence (Num. xxxv. 1–8; Jos. xxi., and the terms of v. 6 ('and if a Levite come from any of thy gates out of all Israel, where he sojourneth, and come with all the desire of his soul unto the place which the Lord shall choose,') are difficult to reconcile with that institution. The 'Levites' are represented in this verse, not as resident in their appointed cities, but as 'sojourning' the word גור is used of temporary, not of permanent residence—in the cities of Israel without distinction. Hence the institution of Levitical cities cannot well have formed an element in the condition of things contemplated by the present law . . . The provisions of the law are absolute, they are not limited to the contingency of the regulations of Numbers xxxv. 1–8 being disobeyed; and it is incredible that, worded as they are, they can have been framed by one who, if the received view of the Pentateuch be correct, had only six months previously assigned to the Levites permanent dwelling-places."

Briefly stated, the argument comes to this: in **P** the Levites have forty-eight cities; in Deuteronomy they have no inheritance. And that these two are incompatible positions is said to be confirmed by the use of the word גור in Deut. xviii. 6, to designate the Levite's state as not dwelling (שכן or ישב) in the cities appointed for him in **P**, but as being scattered throughout the land.

But, (*a*) is the assignment of forty-eight cities to the Levites

[1] *l. c.* p. xxxix.

incompatible with the statement in Deut. (xviii. 1 and elsewhere) that the Levites "have no inheritance"? The *à priori* answer would be that their inheritance is of a different kind from that which fell to the other tribes. And certainly the assignment of forty-eight cities among 23,000 Levites "males of one month old and upwards" (Num. xxvi. 62), to whom should of course be added at least an equal number of women, constituted a very different kind of inheritance from that which fell to the other tribes. An examination of Numbers xviii. 12-30 reveals some interesting facts; the revenue of the Levites from the sacrifices must have been to a very large extent made up of meal, corn, wine, oil, flour, and fruits; these must have constitued the major portion of the sacrifices except upon occasions of great festivity. But when we turn to Numbers xxxv. 1-8 we find reason for thinking that Moses had not forgotten this point, for the cities given them have fairly ample suburbs: "and their suburbs shall be for their cattle, and for their substance and for all their beasts." In other words, there is not a word about provision for growing corn or planting vineyards but only for feeding their flocks. Their needs in this last respect would not be fully satisfied for by the sacrifices, whereas the corn and wine, etc., would probably be in abundance. This may seem forced, but Numbers xviii. 27 seems to bear it out, for we read: "And your (the Levites) heave offering shall be reckoned unto you, as though it were the corn of the threshing-floor, and as the fulness of the wine-press."

(*b*) If we are to say that Deuteronomy in declaring that the Levites have no inheritance contradicts **P** which assigns to them forty-eight cities, we get involved in considerable difficulties. For just as Deuteronomy says that they have no inheritance, so also does **P**, which in Numbers xxxv. 1-8 has assigned them the forty-eight cities, emphatically declare that they "have no inheritance" (xviii. 20-26). Similarly Josue, while in ch. xxi. assigning them the forty-eight cities, in xiii. 13 and 33 expressly repeats that "they have no inheritance." This is assuredly an *impasse!* Two courses are open to the "Higher Critics" at this stage; they can either go back and acknowledge that they are on a wrong track, or they can fight their way through regardless of consequences. Of course they prefer the latter of the two alternatives, and proceed to indulge in what they are pleased to term "literary

criticism" of the sources. As their method is instructive, we will give a sample of it in full. In Carpenter and Battersby, *Critical Edition of the Hexateuch*, we find the following note on Numbers xxxv. 1-8, "Two provisions are embraced in this chapter, (i.) the Levitical cities, 2-8, and (ii.) the Cities of Refuge, 9-34. Both obviously belong to **P**, but they are probably to be assigned in their existing form to **Ps**. The endowment of the Levites with forty-eight cities is not in harmony with the express declarations that the priestly tribe should have no inheritance among the children of Israel, xviii. 20, 24, but should be supported by sacrificial revenues, tithes, etc." [1] We seek for information regarding the mysterious **Ps**, and we find, "There remain a number of passages both in narrative and law which do not seem congruous with their context, and must be regarded therefore, as secondary extensions. In this view, the groundwork of **P** has been enriched from time to time by additions conceived more or less in its spirit." [2] Hence the notation **Ps** signifies "the secondary extension of **P**." In other words—and we trust no one will think us brutal in so saying—whenever a passage is absolutely destructive of your theory, make it an exception. **Ps**, in short, is nothing else than a clumsy device for getting rid of an inconvenient witness. If the facts stated in Deuteronomy stood by themselves, if in other words there was no provision for the dwelling-place of the Levites, then critics might reasonably have objected that the position sketched was inconceivable and impraticable, since the Levites must have had some dwelling-place.

(*c*) But Prof. Driver's argument is, if we mistake not, more subtle; he finds a contradiction in the apparent statement of Deuteronomy xviii. 6, that the Levites are not, after all, dwelling in the cities assigned to them but that they are depicted as "sojourning," *i.e.*, not having permanent habitations in the land, but going about from city to city as "strangers." He regards them as scattered in a way which negatives the idea of their being established in certain definite cities. The whole force of his argument lies in the use of the word גּוּר in Deuteronomy xvviii. 6. But it is possible that its meaning has been strained by the critics. Radically the word

[1] Vol. ii. p. 244 note.
[2] Vol. i. p. 253.

means "to gather together," so Gesenius, but in the Oxford Dictionary [1] its radical meaning is given as connected with that of the Arabic root meanig "to tarry" or "to turn aside" and the word itself is said to mean "to sojourn, dwell for a definite or indefinite time, dwell as a new-comer without original rights." We are also referred to Jeremiah xliii. 5, xlix. 18-33, lx. 40, where it has the meaning of "abide, nearly or quite = dwell." In these last three passages it has for its parallel יָשַׁב as also in Geensis xx. 1, "And Abraham dwelt וַיָּשָׁב between Cades and Sur, and sojourned וַיָּגָר in Gerara. In Judges v. 17, three verbs are used: "Galaad rested (שָׁכַן) beyond Jordan, and Dan why did he remain (יָגוּר) among ships? Aser sat still (יָשַׁב) at the haven of the sea, and abode (יִשְׁכּוֹן) in his creeks." From the various passages in which the word גּוּר occurs it is evident that it does generally mean "to sojourn" as opposed to "dwell permanently" in place. But it is also used to signify prolonged dwelling in a place as we see in the case of Abraham, Genesis xxv. 27; of Jacob, Deuteronomy xxvi. 5; and of the whole nation in Egypt, Leviticus xix. 34—but, precisely as pointed out in the Oxford Dictionary "without original rights." Now the question is whether this does not exactly suit the state of the Levites? Their cities were not properly-speaking their own, they were simply ceded to them by the rest of the tribes, and the Levites in consequence found themselves established in the midst of various tribes apparently without civic interest and on a very precarious footing. Hence the repeated injunctions of Moses to remember the Levites as they would the orphans and widows. If this is so, and we fancy that it is based on solid grounds, then we ought rather to see in the use of the word in Deuteronomy xvii. 6, another delicate proof of the exactitude of the language of the Pentateuch, an exactitude which bears the impress of authenticity.

V. In Numbers Josue's appointment is made dependent upon the priest Eleazar, in Deuteronomy the priest is never mentioned.

This seems to us an instance of a criticism which falls to the ground the moment we agree to accept Deuteronomy for what it sets out to be, *viz.*, a recapitulation of preceding laws and events.

[1] *A Hebrew and English Lexicon of the Old Testament.* Brown, Driver and Briggs, Oxford, 1892.

This instance of a seeming discrepancy is only one more proof that we cannot separate the Books of the Pentateuch from one another without entangling ourselves inextricably. What more natural than that Moses should have formally instituted Josue as his successor in the presence of the priesthood as we are told in Numbers xxvii., and that afterwards this fact should be only briefly referred to in Deuteronomy as so many other things are there referred to? Moreover it should be remarked that it is not said in Deuteronomy that the priests were not present when Josue was instituted. We might indeed say that it is implied that the priests were there, for the actual words are: "Call Josue, and present yourselves in the tent of meeting that I may give him a charge" (Deut. xxxi. 14). And if it be urged that the reference to the tent of meeting does not prove that the priests were there, we could retort, in the first place, that neither does the silence of Deuteronomy about the priests prove that they were not there, and, in the second place, that there is no adequate reason for denying that in Numbers xxvii. we have the first and solemn installation of Josue, and that in Deuteronomy xxxi. we have a second and less formal act on the part of Moses immediately before his death.

. . . . . .

The Legislation Regarding Slaves. — As a further proof of the different periods to which the three codes must be assigned it is maintained that in many instances a remarkable phenomenon may be observed when the three codes are compared together, for it will be found that a law laid down in the Book of the Covenant is abrogated in the Levitic Code, but is quietly re-stated in the Deuteronomic Code as though no change had been made. It is worth noting in passing that statements like these are made in such an absolute way and with an air of such complete conviction that it is hard to resist them, it is only when we come to analyse them carefully for ourselves that we realise upon what slender foundations the airy structure of modern Pentateuchal criticism is built. We will take one or two examples of this style of criticism and they shall be chosen from amongst those which may be termed the common-places of the Higher Criticism.

The phenomenon above mentioned may be observed, we are told, "in the laws affecting the *slavery of Israelites*. The first

code, Exodus xxi. 1-6, permits a Hebrew after six years' service to contract for life-long servitude, and places the ceremony of formal enslavement under religious sanction. Before Israel has left Sinai, however, in the next year, this arrangement is tacitly abrogated. In Leviticus xxv. 39-42 it is laid down that no Israelite shall sell himself to another; temporary slavery may, indeed, last till the jubilee; but the poor 'brother' is entitled then to liberty for himself and his family (41) (in Exod. xxi. 4, the wife and children remain in the possession of the master), on the express ground that their freedom was a Divine gift and could not be alienated by slavery for life. That is the exalted view of the second year after the Exodus. But at the end of the wanderings, thirty-eight years later, Moses returns to his earlier scheme. In Deuteronomy xv. 12, the theory that every Israelite is Yahve's bondsman is quietly abandoned, and the process of voluntary enslavement is again legitimated. It cannot be said that the intervening law has been tried without success, for it was expressly designed (Lev. xxv. 2) for the settlement in Canaan. Yet it is wholly ignored when Moses makes his final address, and an arrangement entirely inconsistent with it is re-enforced. The conflict of principle is here as clear as the conflict of fact in the case of the position of the sacred tent or the construction of the ark. It will hereafter be suggested that the three laws belong to *three different stages of religious and social order*. At present it must suffice to observe that if the law of Exodus or Deuteronomy is Mosaic then that of Leviticus is not, and *vice versâ*." [1]

Now this particular example is one to which critics pin their faith, and it is a sample of a number of parallel "phenomena" which, in the opinion of the modern school, all point the same way, *viz.*, to the existence in the Pentateuch of documents not only belonging to different ages, but hopelessly in conflict with one another. This, then, is a crucial instance and by it the critical method must stand or fall; if an examination of the passages in question proves the existence of the "phenomenon" of which they speak with such confidence, then it will be time for sober-minded individuals to concede that there is some *primâ-facie* evidence for the position they seek to establish.

[1] Carpenter and Battersby, *The Hexateuch*, i. p. 41; italics ours.

In order to facilitate our examination we will put the three passages in question in parallel columns: —

Exod. xxi. 1–6.

1. These are the judgments which thou shalt set before them.

2. If thou buy a Hebrew servant, six years shall he serve thee: in the seventh he shall go out free for nothing.

3. With what raiment he came in, with the like let him go out: if having a wife, his wife also shall go out with him.

4. But if his master gave him a wife, and she hath borne sons and daughters: the woman and her children shall be her master's: but he himself shall go out with his raiment.

5. And if the servant shall say: I love my master and my wife and children, I will not go out free:

6. His master shall bring him to the gods, and he shall be set to the door and the posts, and he shall bore his ear through with an awl: and he shall be his servant fot ever.

Lev. xxv. 39–46.

39. If thy brother constrained by poverty, sell himself to thee, thou shalt not oppress him with the service of bond-servants:

40. But he shall be as a hireling, and a sojourner: he shall work with thee until the year of the jubilee,

41. And afterwards he shall go out with his children, and shall return to his kindred and to the possession of his fathers,

42. For they are my servants, and I brought them out of the land of Egypt: let them not be sold as bond-men:

43. Afflict him not by might, but fear thy God.

44. Let your bond-men, and your bondwomen, be of the nations that are round about you.

45. And of the strangers that sojourn among you, or that were born of them in your land, these you shall have for servants:

46. And by right of inheritance shall leave them to your posterity, and shall possess them for ever. But oppress not your brethren the children of Israel by might.

Deut. xv. 12–18.

12. When thy brother a Hebrew man, or Hebrew woman is sold to thee, and hath served thee six years, in the seventh year thou shalt let him go free:

13. And when thou sendest him out free, thou shalt not let him go away empty:

14. But shalt give him for his way out of thy flocks, and out of thy barn-floor, and thy wine-press, wherewith the Lord thy God shall bless thee.

15. Remember that thou also wast a bond-servant in the land of Egypt, and the Lord thy God made thee free,

and therefore I now command thee this.

16. But if he say: I will not depart: because he loveth thee, and thy house, and findeth that he is well with thee:

17. Thou shalt take an awl, and bore through his ear in the door of thy house, and he shall serve thee for ever: thou shalt do in like manner to thy woman-servant also.

18. Turn not away thy eyes from them when thou makest them free: because he hath served thee six years according to the wages of a hireling: that the Lord thy God may bless thee in all the works that thou dost.

To repeat once more, the critical view is that these three passages are in hopeless conflict, that what is laid down in Exodus is withdrawn in Leviticus but is quietly reimposed in Deuteronomy as though it had never been abrogated. And the conclusion drawn is that we have here three codes which clearly must belong to three different periods in the legislation, but which have been somewhat clumsily fused together by a compiler who did not see how irreconcileable they were. From this starting-point the whole modern theory of Pentateuchal reconstruction is woven, for, it is argued, the Exodus Code is constructed of two documents **J** and **E**; the Levitical Code is due to the priestly narrator, commonly known as **P**, and the Deuteronomic Code dates from the seventh century. But, it is further argued, **D** knows nothing of the abrogation of this particular law touching slaves, therefore **D** must be anterior to **P**, but again, **D** is based upon the Book of the Covenant or **JE**, consequently the order and the respective dates of these codes must be **JE** before the seventh century, **D** in the seventh century, and lastly **P** after the Exile.

This is the theory and its basis; does the instance given above confirm it?

In Exodus xxi. 1-6, the legislation may he summed up thus: if a Hebrew *becomes* a slave to a fellow-Hebrew, he is to go free after seven years, and the garments and the wife he brought with him are to be his; if, however, his master found him a wife from among his other slaves such a wife remains a slave. It is further

enacted that, if he so chooses, the slave may remain in bondage, in which case a special ceremony is to be performed.

Leviticus xxv. 39-46, is said to abrogate this law, and it is roundly declared that "it is laid down that no Israelite shall *sell himself* to another," though the very opposite would, to the uncritical mind, seem to be stated in the words: "if thy brother sell himself to thee." It is true, however, that in verse 42 it is expressly said: "For they are My servants, . . . let them not *be sold* as bondmen." Now, why, we may well ask, is the former clause to be completely disregarded and only the latter to be insisted on? Perhaps the solution is that it is by another writer! But is such a procedure critical? And here we may be permitted to say once and for all that for most Higher Critics criticism seems to mean something quite different from what it is generally taken to mean. They seem to have canons of their own and to be exempt from all the ordinary laws of correct reasoning; this may seem an arbitrary judgment, but we are convinced that an impartial study of their methods will force this conviction upon any one who chooses to make it.

Again, just as these critics seem to have critical principles of their own, so also do they seem to have a Hebrew syntax, and even grammar, of their own. We know, of course, that we are treading on dangerous ground, for it never seems to occur to any one to criticise the linguistic knowledge of the men who of late years have undertaken to guide the whole world in their study of the Bible. Yet they are not infallible, nor do they really pretend to be so; it is perhaps we who are in fault, for the blind way in which the "ipse dixit" of these men is swallowed must surely be accounted amongst the marvels of the age! But a very cursory examination of the passages under discussion will amply prove the justice of these remarks, for it all turns on a very ordinary question of Hebrew grammar. Critics say, as already seen, that "it is laid down that no Israelite shall sell himself to another"; but any one reading the whole passage as given above will see that two very distinct things are said in verses 39 and 42; in verse 39, "if thy brother constrained by poverty, *sell himself to thee*," there is clearly no prohibition of his doing so, indeed it seems to be supposed that such cases will not infrequently arise and they are consequently legislated for, such a man is not

to be put on a par with a bought slave, "you shall not oppress him with the service of bond servants," or, as the Hebrew text forcibly expresses it, לא-תעבד בו עבדת עבד. And in verse 42 the reason is clearly stated: "for they are My servants, . . . let them *not be sold as bondmen*, afflict him not by might." Now in the versions the distinction is clearly brought out as above, "si vendiret se" and "non veneant" in the Vulgate, though the LXX seems to have taken both clauses in the passive sense. And it is a distinction which is clearly demanded by the context and fully sanctioned by the Hebrew; for, as every Hebrew student knows, the Niph'al conjugation, though strictly speaking passive, is frequently used in a reflexive sense, we need not go outside the present chapter to find an exactly parallel instance; in verses 47-48 we find the writer supposing the case of a Hebrew being compelled through poverty "to sell himself," and "to be sold," but the same Hebrew verb is used in either case and in the same conjugation, *viz.*, Niph'al. We said that the whole question turned on a question of Hebrew grammar, but we might have said with truth that it turned upon common sense, for it is clear that the cause for the sale in the first clause (ver. 39) lay within the man himself, he was not a captive, he was simply poor and saw that his only chance of subsistence lay in hiring himself out as a servant; and this is not condemned, but Moses lays down a law which must have often proved an immense assistance to the needy who found themselves in a like strait. In the hands of the "Higher Critic," however, it becomes meaningless. The passive form, "let him not be sold," clearly refers to cases where the strong take their brethren into captivity and sell them as slaves.

But we may be asked, does not the very fact of the triple repetition of this law indicate the presence of three distinct codes? The modern critic would at once reply in the affirmative, and so may a conservative critic, for undoubtedly there are three distinct sets of laws, those of Exodus, those of Leviticus, and those of Deuteronomy, and no doubt the existence of the three side by side needs explanation. But while the Higher Critic explains it by the fact that they indicate three distinct periods of legislation which are centuries apart in point of time, we may well ask whether this explanation is necessary. It is supported,

as we have seen, by a wealth of learning and ingenuity, but many minds will feel far more satisfied with the simple explanation which indeed seems writ large on the face of the Bible story, *viz.*, that in Exodus we have the legislation of Sinai as first given, that in Leviticus we have a fuller development of the same legislation for the Levites who were to be its legal custodians, while in Deuteronomy we have merely Moses' exhortations on the main points of the law. We do not know what distance of time separated the giving of the law on Sinai from its fuller declaration to the Levites, but we cannot be far wrong in supposing that this fuller explanation was given during the long sojourn at Cades. It is certain, however, that the Deuteronomic legislation was not given for at least thirty-eight years after their departure from Sinai.

CHAPTER III.

The Central Sanctuary.

"The law respecting the **place of sacrifice**, as formulated in Deuteronomy, must have arisen at a much later age that that of Moses. . . . While Deuteronomy insists with great emphasis that all sacrifices are to be offered only at a single sanctuary, the spot chosen by Jehovah 'out of all the tribes to set his name there,' the law of Exodus xx. 24 permits altars to be built, and sacrifice to be offered upon them, in any part of the land without distinction; and with the principle thus laid down the practice of the age from Joshua to Solomon (and even later) conforms. During this period mention is frequently made of altars being built, or sacrifice offered, at places other than that at which the ark was stationed, without any indication (and this is the important point) on the part of either the actors or the narrator, that an irregularity is being committed (see especially 1 Sam. ix. 12-14; 1 Kings xviii. 30). It is, of course, true that the non-observance of a law does not of necessity imply its non-existence; nevertheless, when men who might fairly be presumed to know of it, if it existed, not only make no attempt to put it in force, but disregard it without explanation or excuse, such an inference cannot be deemed an extravagant one" (Driver, *Comment. on Deut.* Introd. pp. xliii.-xliv.). Similarly Kuenen: "In the many passages referring to the one sanctuary of Yahve . . . Deuteronomy presupposes the existence of the temple of Jerusalem. It is true that the usual formula runs, 'the place which Yahve shall choose,' but this is only because the laws are put into the mouth of Moses. The real author had an actual sanctuary in his mind, as we see from the texts themselves, and especially from xii. 5 (out of all your tribes), 14 (in one of your

tribes); and also from xii. 5, 21, xiv. 24, xxvi. 2, which imply a fixed abode of Yahve rather than a moveable tent'' (*The Hexateuch*, p. 217).

We do not propose to discuss this question at length, as it has been ably dealt with by Van Hoonacker (*Le Lieu de Culte dans la Législation rituelle des Hebreux*, Louvain, 1894). Van Hoonacker has shown good reason for his view that Exodus xx. is legislating only for private altars, since by the Semites every slaughter of animals was regarded as a sacrificial act, and Moses' legislation was intended to safeguard this from abuse; this view has, of course, been combated, but has never been disproved.[1] Driver, in a note appended to the passage just quoted from his *Commentary*, simply shirks the point and makes no attempt to answer it.

We should like, however, to call attention to the following points:—

(*a*) When Deuteronomy insists upon the one place of sanctuary the law is clearly prospective and is made with an express reservation, that is, it is to come into force "when the Lord shall have **given rest** to His people,'' and Moses (Deut. xii. 8-10) draws a forcible contrast between their then state of comparative licence and the strict rule which is to come into force *when feasible*:—

8. You shall not do there the things we do here this day, every man that which seemeth good to himself.

9. For until this present time you *are not come to rest*, and to the possession, which the Lord your God will give you.

10. You shall pass over the Jordan, and shall dwell in the land which the Lord your God will give you, *that you may have rest* from all enemies round about: and may dwell without any fear.

And it is surely remarkable that Solomon should conclude his dedicatory-prayer with the solemn words:—

3. Kgs. viii, 56. Blessed be the Lord, who *hath given rest* to his people Israel, according to all that he promised: there hath not failed so much as one word of all the good things that he promised by his servant Moses.

The whole of his prayer on that occasion is steeped in the spirit, and even couched in the very words, of Deuteronomy, cp. 3 Kings viii. 51 and Deuteronomy vi. 20, not to mention other passages. Modern critics of course say that this undeniable fact is but an

[1] Cfr., however, Rev. Bibl., Oct. 1909, p. 643.

additional proof that the books of Kings have been edited in the spirit of Deuteronomy!

(*b*) Three archæological discoveries during recent years should make us pause before dogmatising about the precise meaning of the Deuteronomic law of unity of sanctuary or about the way in which the Hebrews understood it:—

1. On the Moabite Stone (xi. 17–18) we read ואקח משם את·כלי יהוה: "And I took thence (*viz.*, from Nebo l. 14) the (altar-stone?) of Jehovah"; the incomplete word (את·כלי) is almost certainly to be read as in i. 12, אראלי, and should probably be rendered "altar-stone," though some. *e.g.*, Lidzbarski, would see in it the same word as אראל in 2 Samuel xxv. 20 and Isaiah xxxiii. 7, and would then understand it as "lion," and take it as the title of a priest. This view is, however, not the one generally accepted, and if the word means "altar" we can only conclude that in the tenth century B.C. the Hebrews to the East of the Jordan had an altar to Jehovah; need we necessarily say that they were breaking the law?

2. Josephus told us long ago that Onias founded a temple of Jehovah in Egypt, and we have every reason for thinking that this foundation was not looked on with disfavour by the Jews of Palestine till a much later period—a variant reading in Isaias xix. 18–19 probably bears witness to a subsequent revulsion of feeling. Now this temple has recently been discovered by Professor Petrie, and he claims to have found abundant traces of the celebration of the paschal sacrifices there.

3. The recently discovered papyri from Aswân tell us of a temple to Jehovah in Egypt during the sixth century B.C., and it is more than probable that it was founded by those Jews who fled into Egypt and carried Jeremias with them. Yet, if we are to believe modern critics, it was precisely during the lifetime of Jeremias that Deuteronomy was written with the express object of suppressing all sanctuaries except that of Jerusalem! These indubitable facts at least show that *outside Palestine,* and even at a time when the Deuteronomic legislation was certainly being enforced, it was not thought wrong to erect temples for the solemn cult of Jehovah.

(*c*) **The Tabernacle at Shiloh** seems to us an insuperable obstacle to the critical view of Deuteronomy, as also is the history

of the ark, which is inseparably bound up with that of the sanctuary. If the central sanctuary was deemed essential to the preservation of the monotheistic worship the ark was equally essential to the idea of a central sanctuary. God was to be consulted at the ark alone; consequently, wherever the one ark was, there also must have been the central sanctuary. Other places for informal sacrifice there may have been, but, if God was to be formally consulted, it was at the ark. Until, then, Higher Criticism can abolish the ark as an unhistorical fiction [1] it must accept the undeniable corollary that from the time of the conquest there was one main sanctuary. And all through the books of Josue and Judges this fact is prominent; Josue sets up the tabernacle at Shiloh, lots are cast there before the Lord, the camp is there, and the elders assemble there to consult the Lord (*cf.* Joshua xviii.–xxii. and xxiv. 1 in LXX). It is the same in the Appendix to the book of Judges xvii–xxi.; in xviii. 31, we are expressly told that the idol of Micah was in Dan "all the time that the house of God was in Shiloh." It is the same when we come to the early chapters of the books of Samuel, Elkana goes to Shiloh "on the appointed days to adore and to offer sacrifice to the Lord of Hosts"; Heli is the priest there, the ark is still there, and is its treasure, and its loss is the signal for Israel's downfall. Even after the temple at Jerusalem had been built and the ark transferred thither, the glory of Shiloh is not entirely extinguished; Ahias the prophet dwells there, and Joroboam, who naturally cannot go to Jerusalem, sends his wife to Shiloh (3 Kings xiv. 2). But the ark is no longer there, and as the Psalmist says: "He put away the tabernacle of Shiloh, His tabernacle where He dwelt amongst men" (Ps. lxxvii. 60). It is to this fact that Jeremias so confidently appeals when he says: "Go ye to My house in Shiloh, where My name dwelt from the beginning, and see what I did to it for the wickedness of My people Israel" (vii. 10–14; *cf.* xxvi. 6–9).

But what does all this mean but that the Deuteronomic principle was acted on from the very beginning? And note, too, the dilemma which critics have to face; remove Deuteronomy, make it a work of the seventh century, and what follows? Either the ark must go too, or Deuteronomy must stay. For the ark, as

[1] Wellhausen, *Proleg.* p. 189, has attempted to do this.

already said, involves a central place of worship; but if Deuteronomy did not exist we have the anomaly that there was no legislation to safeguard that central place of worship. Moreover, the words quoted above from Jeremias are, or ought to be, a stumbling block to those who uphold the critical view of Deuteronomy; for this prophet, who is said by the Critics to be steeped in the language of Deuteronomy, because it had just been written, applies to Shiloh the very expressions which Deuteronomy applies to the future place of central worship. He says: "Is this house then in which *My name hath been called upon*, in your eyes become a den of robbers?... Go ye to My place in Shiloh where *My name dwelt from the beginning*." Assuredly the prophet is but saying that just as Shiloh was once the "place which the Lord had chosen," but it had now been rejected, so too, Jerusalem its successor would also be rejected (*cf.* Deut. xiv–xviii. *passim*). Could Jeremias do this if Deuteronomy had been recently written in the interests of a reform which was to glorify Jerusalem? Do not his words mean that the people are not to flatter themselves that Jerusalem holds an unique position and one which will ensure their safety even though they fail to keep the law—for Shiloh had long before occupied the same position and had been rejected?

CHAPTER IV.

The Levitical Priesthood.

One of the principal points on which the Higher Critical School depends for its proof that Deuteronomy stands apart from the rest of the Pentateuch and belongs to a later date, is the different standpoint from which, so it is alleged, Deuteronomy and the Priestly Code regard the priestly caste. For whereas the former, *viz.*, **P** or the Priestly Code, carefully distinguishes between the rest of the Levites and the sons of Aaron *i. e.*, between inferior ministers and priests, Deuteronomy, so we are told, makes no such distinction, but, regards all Levites as priests. It will be worth while to quote in full Kuenen's words on this point: "According to Exodus xviii. *sq.* and the laws in Leviticus and Numbers generally, Aaron and his sons are the only lawful priests. It is true that the Levites in a body are set apart for the service of the sanctuary (Num. iii. *sq.* viii. 18), but they are excluded from the priesthood (see, for instance, Num. xvi. 9, 10, xvii. 5, xviii. 1–3). . . . It is quite otherwise in Deuteronomy. According to x. 8, 9, Yahve has separated the tribe of Levi 'to bear the ark of the covenant of Yahve, to stand before Yahve's face, to serve him and to bless in his name'—in a word, to exercise the priesthood. Accordingly the priests are called throughout this book הכהנים הלוים or הכהנים בני לוי, the Levitical priests or the priests' sons of Levi (xvii. 9, 18, xviii. 1, xxi. 5, xxiv. 8, xxvii. 9, xxxi. 9; *cf.* Jos. iii. 3, viii. 33), never 'sons of Aaron,' and in Deuteronomy xviii. 1, 'the whole tribe of Levi' stands in apposition with 'the Levitical priests,' after which the author thus proceeds: 'the sacrifice of Yahve (אִשֵּׁי) and his portion (*i.e.*. the portion) that falls to Yahve, נַחֲלָתוֹ, shall they eat, and he (*i. e.*, the tribe of Levi) shall have no inheritance among his brethren. Yahve

is his inheritance, as he has said to him' (xviii. 1*b*, 2). The equivalence of priests and Levites could hardly be formulated more distinctly. Does the author mean, then, that the priestly office was exercised—in the one sanctuary of course—by all the Levites without distinction? Not so, for he tells us that the Levites sojourn as strangers in the different cities of Israel. But he considers them all qualified to act as priests, 'If the Levite (*i.e.*, any Levite whatever) comes out of one of your cities in all Israel, where he sojourns as a stranger, and with undivided desire (בכל-אות נפשו) betakes himself to the place which Yahve shall choose, then he shall serve in the name of Yahve, his god, like all his brothers, who stand there before the face of Yahve' (xviii. 6, 7). All this is quite unequivocal; it is a uniform and consistent picture; the passages support and explain each other. One more instance! Inasmuch as Deuteronomy knows nothing of priests, inferior servants of the sanctuary, it must of course lay upon the Levitical priests in general all the duties which are divided in Exodus–Numbers between the two classes. And so it does. According to Numbers vi. 23–27, Aaron and his sons pronounce the blessing; in Deuteronomy x. 8, 9, xxi. 5 we find the tribe of Levi (or the Levitical priests, or the sons of Levi) separated (or chosen), amongst other things, to bless in the name of Yahve. The bearing of the ark of the covenant is amongst the duties assigned to the Levites in Numbers iii. 31, iv. 5, vi. 15, and in Deuteronomy x. 8; also, it is part of the task of the tribe of Levi. It is accordingly ascribed to 'the priests, sons of Levi,' in Deuteronomy xxxi. 9, and to 'the Levites' in Deuteronomy xxxi. 25; *cf.* Joshua iii. 6, 8, 13–15, 17, iv. 9–11, 16–18, vi. 6, viii. 33." [1]

We need not comment on the tone of absolute assurance with which these statements are made; as we have already had occasion to remark, bold assurance is a characteristic of the "Higher Critics" as a body. It will probably go far to explain the ready adhesion which men give to their views.

Before proceeding further it should be pointed out that this alleged identification of priests and Levites in Deuteronomy only constitutes the first step in the critical scheme of Pentateuchal analysis or dissection. For critics make this point the lever by

[1] *The Hexateuch*, pp. 27, 28.

which they can assign definite dates to **JE D** and **P**. We, of course, are only concerned here with the date assigned to Deuteronomy, but for completeness' sake we give their whole argument; it may be briefly formulated as follows: —

P distinguishes the priests and Levites.

D identifies them.

Therefore **P** and **D** belong to different periods.

But Ezechiel is the first to distinguish the priests from the Levites, *viz.*, in B.C. 579.

Therefore **P** is later than Ezechiel.

But Deuteronomy written in the seventh century, is acquainted with **JE** and ignorant of **P**.

Therefore the order of these documents is **JE, D, P.**

How far-reaching these conclusions are will be evident. And they are quietly accepted by scholars all over the world; thus Schurer, when explaining his views regarding the priesthood in N. T. times, says: "This view is based on the assumption that the so-called priestly code . . . belongs to a later date than Deuteronomy and Ezechiel. This, as it appears to me, has been clearly demonstrated by the more recent criticism of the Pentateuch. The legislation of the priestly code evidently represents, in all its leading features, a later stage of development than Deuteronomy and Ezechiel. The two latter books would be simply unintelligible were we to suppose that their authors wrote them with the priestly code lying before them." [1]

But what an amazing conclusion it is! And its amazing character is only surpassed by the gullibility with which it is swallowed.

Deuteronomy identifies the priests and Levites.—Two main proofs are brought forward in support of this proposition:—

(*a*) Deuteronomy *calls* the priests Levites.

(*b*) Deuteronomy attributes to *Levites in general* duties which **P** *divides* between Levites and priests.

(*a*) **Deuteronomy calls the Levites priests.**—The passages in question are xvii. 9, 18, xviii. 1, xxiv. 8, xxvii. 9. In these passages we find the expression הכהנים הלוים, Vulgate "sacerdotes Levitici generis"; R.V. "the priests the Levites." Now we challenge any Hebraist to say which of these two translations

[1] *History of the Jews*, II. vol. i. p. 209 *note*.

is correct, we do not say "the more correct," for, to our thinking, that of the R.V. is absolutely wrong! Surely according to all laws of Hebrew grammar הלוים is an adjective and can only be translated as such, it is not in apposition to הכהנים but qualifies it, but if it qualifies then it is not *coextensive* with the thing it qualifies and this is the whole point at issue. In fine, if Moses had wished to identify the priests and Levites he would have had to write not הכהנים הלוים but הלוים הכהנים. As for the point of grammar involved we need only quote from one of the common translations of Gesenius: "When the substantive has the article, or is made definitive by a following genitive or a suffix, then the adjective belonging to it also takes the article" Kuenen, it will have been noticed above, translates the expression correctly though why he does not follow out his translation to its logical conclusion is hard to understand. It is not, then, true that Deuteronomy *calls* the Levites priests, but only that the writer calls the priests Levites and this is in perfect accord with the previous legislation. But Kuenen goes on to say that "in Deuteronomy xviii. 1, 'the whole tribe of Levi' stands in apposition with 'the Levitical priests,'" and he then adds that the clauses which follow attribute to the Levites in general what **P** assigns to the priests only. Now this statement is absolutely false, as a brief examination of the whole passage Deuteronomy xviii. 1–8 will show.

1. The **priests of the Levitical race** and all that are of the same tribe, shall have no part nor inheritance with the rest of Israel, because they shall eat the sacrifices of the Lord, and his oblations,

2. And they shall receive nothing else of the possession of their brethren: for the Lord himself is their inheritance, as he hath said to them.

3. This shall be the **priest's** due from the people, and from them that offer victims: whether they sacrifice an ox, or a sheep, they shall give to the priests the shoulder and the breast:

4. The first-fruits also of corn, of wine, and of oil, and a part of the wool from the shearing of their sheep.

5. For the Lord thy God hath chosen him of all thy tribes, to stand and to minister to the name of the Lord, him and his sons for ever.

6. If a **Levite** go out of any one of the cities throughout all Israel, in which he dwelleth, and come with all the desire of his soul to the place which the Lord shall choose.

7. He shall minister in the name of the Lord his God, as all his brethren the Levites do, that shall stand at that time before the Lord.

8. He shall receive the same portion of food that the rest do: besides that which is due to him in his own city, by succession from his fathers.

We have here three distinct points: (*a*) in verses 1, 2, the dependent state of the *whole Levitical tribe* is dwelt upon; (*b*) in verses 3–5 the dues of the *priests* are set forth; (*c*) verses 6, 7, declare the right of *Levites* from the country districts to minister in the chosen city and share in the sacrifices, etc., as do the other *Levites*. Kuenen has somehow failed to notice this threefold division, which is surely undeniable, and yet which is the key to the right understanding of the whole passage. We should be justified if we answered his categoric statement that "the *equivalence* of priests and Levites could hardly be formulated more distinctly" by the equally categoric but surely more defensible statement that "the *distinction* between priests and Levites could hardly have been formulated more distinctly".

But if our view is correct, *viz.*, that Deuteronomy does carefully distinguish between priests and Levites, and if we are right in saying that in the passage from Deuteronomy just discussed, three distinct things are laid down, *viz.*, regulations for the Levitical tribe as a whole, for the priestly portion of it, and for the non-priestly portion of it, then it will follow that whenever the expression הכהים הלוים occurs it will denote precisely the priests of the tribe and not the Levites who, not being sons of Aaron, are not priests. And that this is so will perhaps become clearer if we examine once more the first verse of Deuteronomy xviii. The actual words are: "The Levitical priests and all that are of the same tribe"; now on the supposition of Kuenen and others who say that Deuteronomy identifies the priests and the Levites, this can only mean "the whole tribe of Levi and all that are of the same tribe"! Truly a luminous expression! We are, we think, justified in ruling out of court all the passages where, according to Kuenen, Deuteronomy *says* that all Levites are priests. And a like fate awaits the only two remaining passages, *viz.*, xxi. 5, and xxxi. 9, where we find the expression, הכהנים בהני לוי, "the priests the sons of Levi"; will anyone venture to say that this means that the Levites were all of them priests? Deuteronomy, then, most emphatically does *not say* that the Levites were all of them indiscriminately priests but only that the priests were Levites.

(*b*) **But Deuteronomy attributes to the Levites in general duties which P divides between Levites and priests.**

Two proofs are brought forward in favour of this assertion:—

1. That in Deuteronomy x. 8, 9, and xxi. 5, the Levites are said to have been chosen out to **bless** in the name of Yahve, whereas in Numbers vi. 23–27 this privilege is restricted to the priests.

2. The **carriage of the ark** is in **P** the duty of the Levites; in Deuteronomy it is declared to be the duty of the priests.

With regard to the first alleged proof, *viz.*, the **right of blessing** the people, it must be remarked first of all that the passage in Deuteronomy x. 6–9 is almost certainly out of place, though some, Driver for example, would allow that only verses 6–7, are foreign to the context; but supposing it to be in its due place what does it prove? It is surely not blind conservatism to say that we are bound if possible to interpret this passage in the light of what has preceded. And it is quite possible to do so. The text is as follows: "At that time the Lord separated the tribe of Levi, to bear the ark of the covenant of the Lord, to stand before the Lord, to minister unto him, and to bless in his name, unto this day".

A sound criticism of these words would be: These are the privileges of Levi as a whole, but they are not therefore *all* of them privileges of *all* Levi, for some of them, though not all, have been expressly reserved already to those Levites who are sons of Aaron (*cf.* in addition to the passages cited by Kuenen, Leviticus ix. 22. 1 Chron xxiii. 13).

With regard, of course, to Deuteronomy xvi. 5, we can but repeat what we have said above, *viz.*, that the expression הכהנים בני לוי means precisely the priests and not the rest of the Levitical tribe.

And indeed in Deuteronomy itself we seem to have the distinction between priests and Levites clearly formulated: in chap. xxvii. 9 we read that "Moses and the priests of the Levitical race (R. V. 'the priests the Levites') spoke unto all Israel saying: keep silence, etc."; there then follows the account of how they are to assemble on Gerizim and Ebal when they have crossed the Jordan and are to formulate the blessings and cursings, this is followed in verse 14 by a further order: "and the *Levites* shall answer and say," etc. Why this distinction between the offices? Why in the first place does he say: "the priests of the Levitical race," and in the second: "the Levites"? Surely the answer is that he regarded the priests and the Levites as distinct?

The question of **the carriage of the ark** presents at first sight greater difficulty. In Deuteronomy xxxi. 9, we read: "And Moses wrote this law, and delivered it unto the priests the sons of Levi, who carried the ark of the covenant of the Lord"; and in xxxi. 25, "he commanded the Levites, who carried the ark of the covenant of the Lord." With regard to the latter passage we should naturally say that the term "Levites" was used in a broad sense for the priests whom it included, it would be absurd to suppose that there is a contradiction between verse 25 and verse 9. But it is maintained that the duty of carrying the ark had already (Num. iii. 31, iv. 5, vi. 15) been given solely to the Levites as distinguished from the priests. Let us examine the three passages for ourselves:—

Numbers iii. 31: "And their (*viz.*, the Levites) *charge* shall be the ark."

How this in construed "they shall *carry*" we leave to the ingenuity of others to discover! Driver (*Commentary on Deuteronomy*, p. 122) gives the same translation, yet there can be no question but that the Vulgate, "et custodient arcam," and LXX. καὶ ἡ φυλακὴ αὐτῶν are alone correct, for the context—it is solely question of the wards and watches of the Levites—demands it, and the word שמר has no other meaning.

Numbers iv. 5: Aaron is to wrap up the ark, etc., when the camp is to be moved; in v. 15: "And when Aaron and his sons have made an end of covering the sanctuary, and all the furniture of the sanctuary ... the sons of Kohath shall come forth to bear it"; does this mean that the Levites carried the ark? It would certainly seem to imply it, since we might well suppose that the ark was included in the things wrapped up, but it is certainly not explicitly said anywhere that the Levites are to carry it. Indeed, there is a certain *a priori* improbability about it, for the ark was *the* holy thing *par excellence*, and we should rather expect to find that it was particularly assigned to the priests. Only in Numbers x. do we find any account of the actual breaking up of the camp, and there, curiously enough, we read: "And the Kohathites set forward, bearing the *sanctuary*" (verse 21) המקדש, "sanctuarium," τὰ ἅγια; not the ark, ארון. Kuenen's third reference, *viz.*, Numbers vi. 15, is unintelligible. We do not, be it remembered, deny that the wording of Numbers iv. would imply

that the carrying of the ark was assigned to the Levites, we merely insist that it is not expressly declared to be their privilege. Now the ordinary rules of criticism would tell us that in a case like this we must be guided by the context and by parallel passages if they are to be found. But here lies precisely the defect of the modern critical system; it is precluded by its very principles from seeking light from any context, since for it there is no such thing as a context. Every parallel passage is a doublet, and if it offers the slightest variant it is to be attributed to another writer, and is an additional proof of the composite nature of the Pentateuch. Such a method is suicidal, and is sufficient to explain the barrenness of so much modern criticism.

But for a student who is not shackled by Higher Critical methods, the context of any passage in the Pentateuch is any other passage in the Pentateuch—or in the whole of the rest of the Bible—which may from its character be calculated to throw light on any point that needs elucidation. Thus we referred just now to Numbers x, as being the only place in the Pentateuch where we have an account of any actual breaking up of the camp, but if we now turn to Jos: iii. and vii. we shall find, as all allow, that, as in Deuteronomy xxxi. 9 and 25, the ark is always carried by the *priests* and by them alone. We need only quote one passage, Jos: iii. 3 and 6: "When you see the ark of the covenant of the Lord your God, and the *priests of the Levitical race* bearing it. . . and Josue spake unto the *priests* saying, take up the ark of the covenant." Here we note at once that the same expression is used, *viz.* הכהנים הלוים "the priests of the Levitical race," as in Deuteronomy, and that it is regarded as simply synonymous with "the priests".

We have held over to the last the most serious difficulty regarding the carriage of the ark. A study of the following passages which we have put in parallel columns will, we think, prove instructive:—

A. 3 Kings viii.	B. 2 Chron. v.
3. And all the ancients of Israel came, and the **priests** took up the ark.	4. And when all the ancients of Israel were come, the **Levites** took up the **ark**.
4. And carried the **ark** of the Lord, and the tabernacle of the covenant,	5. And brought it in, together with all the furniture of the tabernacle.

and all the vessels of the sanctuary, that were in the tabernacle: and **the priests and the Levites** carried them.

5. And king Solomon, and all the multitude of Israel, that were assembled unto him went with him before the ark, and they sacrificed sheep and oxen that could not be counted or numbered.

6. And the **priests** brought in the ark of the covenant of the Lord into its place, into the oracle of the temple, into the holy of holies under the wings of the cherubims.

7. For the cherubims spread forth their wings, over the place of the ark, and covered the ark, and the staves thereof above.

8. And whereas the staves stood out, the ends of them were seen without in the sanctuary before the oracle, but were not seen farther out, and there they have been unto this day.

10. And it came to pass, when the **priests** were come out of the sanctuary, that a cloud filled the house of the Lord.

11. And the **priests** could not stand to minister because of the cloud: for the glory of the Lord had filled the house of the Lord.

And the **priests of the Levitical race** carried the vessels of the sanctuary, which were in the tabernacle.

6. And king Solomon, and all the assembly of Israel, and all that were gathered together before the ark, sacrificed rams, and oxen without number: so great was the multitude of the victims.

7. And the **priests** brought in the ark of the covenant of the Lord into its place, that is, to the oracle of the temple, into the holy of holies under the wings of the cherubims:

8. So that the cherubims spread their wings over the place, in which the ark was set, and covered the ark itself and its staves.

9. Now the ends of the staves wherewith the ark was carried, because they were something longer, were seen before the oracle: but if a man were a little outward, he could not see them. So the ark has been there unto the day.

11. Now when the **priests** were come out of the sanctuary (for all the priests that could be found there, were sanctified: and as yet at that time the courses and orders of the ministries were not divided among them).

C.

2 Chron. xxxv.

1. And Josias kept a phase to the Lord in Jerusalem, and it was sacrificed on the fourteenth day of the first month.

2. And he set the **priests** in their offices, and exhorted them to minister in the house of the Lord.

3. And he spoke to the **Levites,** by whose instruction all Israel was sanctified to the Lord, saying: Put the ark in the sanctuary of the temple, which Solomon the son of David king of Israel built: for you shall carry it no more: but minister now to the Lord your God, and to his people Israel.

4. And prepare yourselves by your houses, and families according to your courses, as David king of Israel commanded, and Solomon his son hath written.

5. And serve ye in the sanctuary by the families and companies of Levi.

6. And being sanctified kill the phase, and prepare your brethren, that they may do according to the words which the Lord spoke by the hand of Moses.

We shall refer to these passages as **A**, **B** and **C** respectively. The difficulties they involve are: (*a*) that the ark is said in **A** to have been placed in the temple and to have remained there until the time when the chronicle from which the compiler of Kings derived his materials was compiled, while in **C** it is implied that it was not in the temple when Josias celebrated his passover; (*b*) the bearers of the ark are in **C** clearly designated as Levites and *not priests*, whereas in **A** and **B** they are termed priests and Levites indiscriminately.

The first difficulty, that namely which is concerned with the place of the ark, does not concern us here. But the second difficulty needs examination. In **C** the chronicler is at pains, it would seem, to distinguish the priests from the Levites, and he expressly speaks of the latter as the official bearers of the ark. In **B**, however, he is not so explicit; he tells us first of all that "the Levites took up the ark," and then in the next verse he says that "the priests of the Levitical race," הכהנים הלוים carried the vessels, etc. This would seem to be a complete reversal of the position as given in Numbers iii., iv., where, as we have seen, it is more likely, in view of what we have already seen in Josue iii., that the *priests* carried the ark while the *Levites* only carried the sacred vessels. In verse 7, however, he complicates matters still further by saying "and the *priests* brought in the ark," so also in verse 11. Before attempting any explanation of this difficulty we should like to approach it from the critical standpoint and see how it *ought* to fare if treated on the principles generally acted on by critics.

In the first place, we notice that the chronicler uses the expres-

sion הכהנים הלוים (R. V. "the priests the Levites"), but on critical principles this should mean that the chronicler identifies the priests and the Levites, for the expression is the same as that in Deuteronomy xviii. 1, etc., which has always been insisted on by the critics as showing that Deuteronomy identified them. Yet no "Higher Critic," nor indeed any other critic, can allow that the chronicler so identified them. And further, the chronicler carefully distinguishes the priests from the Levites in this matter of carrying the ark; but, again on critical principles, Deuteronomy xxxi. 9 and 25 does not distinguish them, therefore, again on critical principles, the chronicler was not acquainted with Deuteronomy! (Q, E. D.) Can any "Higher Critic" complain? We now turn to **A**, or 3 Kings viii. 3–11. Here all through it is the *priests* who carry the ark, but—and this is particularly noticeable—when it is question of the sacred vessels we are told that "the priests *and* the Levites" carried them. Putting all these statements together we have the following facts:—

1. In **A**, or 3 Kings viii., it is the *priests* and the priests only, who carry the ark.

2. In **B**, or 2 Chronicles v. 4, it is the *Levites* who carry it.

3. *Ibid.* verses 7 and 11, it is the *priests* who carry it.

4. *Ibid.* xxxv. 3, **C**, it is expressly the *Levites as distinguished from the priests* who carry it.

From all which it would seem that—unless we are to say that the chronicler hopelessly contradicts not only the author of Kings but himself as well—the ark was carried by both priests and Levites, but under different circumstances, at one time it was the priests, at another it was the Levites who carried it. This, so at least, it seems to us, is the only fair way in which to treat the text, even though it afford us no very satisfactory explanation of events. But it is just possible that a comparison of all the passages in which the carriage of the ark is referred to may suggest an explanation of the difficulty.

We have already seen that in Numbers iii. the Levites had charge of the ark and the furniture of the sanctuary, though it is true that we saw reason to question whether the Levites ever themselves carried the ark, for when any actual account is given us of the Israelites striking camp it is always the priests who carry the ark while the Levites carry only the sanctuary. But in

the light of the three passages under discussion and of Numbers iii. 5 and 15, we fancy we are justified in suggesting that the Levites carried the ark when it was wrapped up, but that the priests carried it when it was borne (exposed to view?) in solemn procession. This, indeed, seems to be the only possible explanation of 2 Chronicles v. 3-7, where we read, first, that the Levites took up the ark and then that the priests brought it into the Holy of Holies. The chronicler seems to suggest to us that, at the entry perhaps of the temple, the Levites handed over their charge to the priests, who then bore it into its final resting-place.

We may mention here another privilege of the priests to which for some reason the critics do not refer, *viz.* that of **blowing the silver trumpets** (Num. x. 8): "And the sons of Aaron, the priests, shall blow with the trumpets." If, now, we turn to Jos: vi. 6-12, we find: "And Josue the son of Nun called the priests and said to them, take up the ark of the covenant, and let seven priests bear seven trumpets of rams' horns before the ark of the Lord . . . and the priests took up the ark of the Lord. And the seven priests . . . blew with the trumpets." Surely these are coincidences, and what have been well called "undesigned coincidences;" it was *not said* in Numbers iv., as already pointed out, that the Levites were to bear the ark; and when their burden, as distinguished from that of the priests, is mentioned, it is the *sanctuary* and not the ark; it *was said* expressly that to the priests was reserved the right of blowing the trumpets, and it is the priests alone, the priests of the Levitical race, whom we find so doing. What becomes of all the paraphernalia of modern criticism in the face of *facts* such as these?

Further, in Deuteronomy xxiv, 8, we read: "Take heed in the plague of leprosy that thou observe diligently and do according to all that the priests of the Levitical race shall teach you; *as I commanded them* so ye shall observe to do." Now it is impossible not to see in this a reference to Leviticus xiii–xiv. where alone are given the precepts touching the treatment of leprosy. But those precepts were delivered, not to the Levites in general, but expressly to the sons of Aaron: the leper "shall be brought unto Aaron the priest, or unto one of his sons, the priests" (Lev. xiii. 2). It is surely, then, a necessary inference that Deuteronomy here by the expression "Levitical priests" means solely the sons of

Aaron? But this does not suit the view of the critics, and they have perforce to take refuge in one of two hypotheses, (*a*) that this passage in Deuteronomy is a clear proof that this book was re-edited after the publication of the Priestly Code, or (*b*) that the passage in question is no proof that Leviticus xiii–xiv. *in its present state* is referred to. Driver's words on the point are instructive: "The law, as it stands here, cannot be taken as proof that Leviticus xiii., xiv. existed in its present shape at the time when Deuteronomy was written; but it is sufficient evidence both that a torâh on the subject was in the possession of the priests, and that the principles which it embodied were of recognised authority, and referred to a Divine origin ('as I have commanded them')" (*Commentary*, p. 275). It is criticism like this which baffles a student who comes to the study of the Pentateuch without the higher critic's panoply of preconceived notions. It is the *cul-de-sac* over again; I have gone down a wrong turning, but nothing will induce me to turn back, for I made up my mind long ago that the way out lay that road, even though the wall had to be cut through! And as we read on in Professor Driver's commentary our astonishment grows, for on the words: "Observe and do according to all that the priests the Levites (*sic*) shall *direct* you." He says: "The verb is the one (הורה) used of the technical 'direction' given by the priests; and the regulations contained in Leviticus xiii., xiv. are called by the corresponding substantive, the *Torah* of leprosy (xiii. 59, xiv. 32, liv. 57)." Why, after a delicate piece of criticism like this, he should take refuge in the shifts mentioned above can only be explained by his critical presuppositions! Kuenen (*loc. cit.* p. 28) talks glibly of "the harmonising artifices employed" by conservative critics, but can they be for a moment compared with those of the Higher Critics themselves?

. . . . . .

An interesting study might be made, we think, on the various technical terms used in the Pentateuch and elsewhere to express the ministry of the priests and Levites. It is certainly not a little remarkable that when it is question in Numbers and Leviticus of service which is the duty of the Levites as distinguished from the priests the term used is עבודה or עבד את-עבודה; *cf.* Num. iii. 6 and 8. Only once that we know of is this term used of the service of Aaron and his sons, *viz.*, in Num. xviii. but its use

there is quite intelligible. On the other hand, when it is question of precisely Aaron's service and of that of his sons the word used is generally כהן, and their ministry is called כְּהֻנָּה At the same time a generic term is in use which is applicable to either the service of the priests or of the Levites, or to that of the whole tribe, *viz.* שרת, the same term is used to express Josue's relation to Moses. But what we wish especially to insist upon is that the two special terms עבד and כהן are never, with the exception just mentioned, used indiscriminately, thus כהן is never used in the Pentateuch of any but the Aaronites. But when it is question of the whole tribe of Levi and their rights as distinguished from their duties, as, for example, in Deuteronomy x. 8-9, where the fact that they have no inheritance is dwelt upon, the term used is the generic one שרת. We are talking, be it remembered, only of the Pentateuch, but later usage was seemingly not always so precise, and the bearing of this fact upon Pentateuchal criticism has not, we think, been grasped hitherto.

Critics maintain, as already stated, that the chronological order, **JE**, **D**, **P**, is proved by the following data which they claim to have put beyond doubt, but of some of which we think we have already shown the inaccuracy—**JE** knows of no priestly caste, **D** regards all Levites as priests, and **P** divides the Levitical tribe into those having priestly and those having minor ministerial functions. But their chief point has been that since it is in Ezechiel that we first discern the distinction between the priests and the rest of the Levitical tribe we cannot date **P**, in which code alone this distinction is worked out minutely, earlier than the Return from the Captivity. As Wellhausen is the Choregus of this school, and has worked out the theory most minutely, we cannot do better than quote his words on the point: "The prophet Ezechiel, in the plan of the new Jerusalem which he sketched in the year 573, takes up among other things the reform of the relations of the personnel of the temple, and in this connection expresses himself as follows (xliv. 6-16):—

"6. And thou shalt say to the house of Israel that provoketh me: Thus saith the Lord God, Let all your wicked doings suffice you, O house of Israel:

7. In that you have brought in strangers uncircumcised in heart, and uncircumcised in flesh, to be in my sanctuary, and to defile my house; and

you offer my bread, the fat, and the blood: and you have broken my covenant by all your wicked doings.

8. And you have not kept the ordinances of my sanctuary: but you have set keepers of my charge in my sanctuary for yourselves.

9. Thus saith the Lord God: No stranger uncircumcised in heart, and uncircumcised in flesh, shall enter into my sanctuary, no stranger that is in the midst of the children of Israel.

10. Moreover the Levites that went away far from me, when the children of Israel went astray, and have wandered from me after their idols, and have borne their iniquity:

11. They shall be officers in my sanctuary, and doorkeepers of the gates of the house, and ministers to the house: they shall slay the holocausts, and the victims of the people: and they shall stand in their sight, to minister to them.

12. Because they ministered to them before their idols, and were a stumbling-block of iniquity to the house of Israel: therefore have I lifted up my hand against them, saith the Lord God, and they shall bear their iniquity;

13. And they shall not come near to me, to do the office of priest to me, neither shall they come near to any of my holy things that are by the holy of holies: but they shall bear their shame, and their wickednesses which they have committed.

14. And I will make them door-keepers of the house, for all the service thereof, and for all that shall be done therein.

15. But the priests, and Levites, the sons of Sadoc, who kept the ceremonies of my sanctuary, when the children of Israel went astray from me, they shall come near to me, to minister to me: and they shall stand before me, to offer me the fat, and the blood, saith the Lord God.

16. They shall enter into my sanctuary, and they shall come near to my table, to minister unto me, and to keep my ceremonies." [1]

And Wellhausen proceeds to comment as follows: "From this passage two things are to be learned. First, that the systematic separation of that which was holy from profane contact did not exist from the very beginning; that in the temple of Solomon even heathen (Zach. xiv. 21), probably captives, were employed to do hierodulic services which, according to the law, ought to have been rendered by Levites, and which afterwards actually were so rendered. Ezechiel, it is indeed true, holds this custom to be a frightful abuse, and one might therefore maintain it to have been a breach of the temple ordinances suffered by the Jerusalem priests against their better knowledge, and in this way escape accusing them of ignorance of their own law. But the second

[1] We give the Douay Version which only differs slightly from that adopted by Wellhausen.

fact, made manifest by the above-quoted passage, quite excludes the existence of the Priestly Code so far as Ezechiel and his time are concerned. The place of the heathen temple-slaves is in future to be taken by the Levites. Hitherto the latter had held the priesthood, and that not by arbitrary usurpation, but in virtue of their own good right. For it is no mere relegation back to within the limits of their lawful position when they are made to be no longer priests but temple ministrants, it is no restoration of the *status quo ante*, the conditions of which they had illegally broken; it is expressly a degradation, a withdrawal of their right, which appears as a punishment and which must be justified as being deserved; 'they shall bear their iniquity.' They have forfeited their priesthood, by abusing it to preside over the cultus of the high places, which the prophet regards as idolatry and hates in his inmost soul. Naturally those Levites are exempted from the penalty who have discharged their functions at the legal place —the Levites the sons of Sadoc—namely at Jerusalem, who now remain sole priests and receive a position of pre-eminence above those who hitherto have been their equals in office, and who are still associated with them by Ezechiel, under the same common name, but now are reduced to being their assistants and hieroduli."

Before discussing in detail the views here expressed we should like to draw attention to the way in which it is formulated. Modern critics often insist that their views are accepted by an ever-growing number of scholars, and they argue, not unreasonably, that this is an index to their convincing character. It may be so, but we may be permitted to suggest another reason for the wide acceptance of critical views, namely, the way in which they are presented. For there are many, we have met them, who accept these modern critical views *en bloc* simply because they are so clearly stated, and if they do go into the matter at all they are often contented with a very perfunctory examination of the data, and more often still are content to take it all on faith, merely because the arguments are so convincingly stated. Take, for example, Wellhausen's just-quoted words; the argument in itself is perfect; but often it is the most perfectly rounded syllogism which contains the most sophistry "latet venenum sub mell," and we all know that it is dangerous to grant an unsupported major or minor premise.

Let us now examine Ezechiel's words for ourselves. We see at once that there are three main points: (*a*) Verses 6-9: There has been an abuse, **strangers** have been allowed to minister in the temple. (*b*) Verses 10–14: The **Levites** who have gone astray are to be degraded. (*c*) Verses 15, 16: The **Levitical priests of the line of Sadoc alone** are in future to exercise the office of the priesthood. The first thing which strikes us is that, after speaking of the Levites in general (ver. 10), when Ezechiel wishes to speak of the priests in particular, he calls them "the priests of the Levitical race," הכהנים הלוים, just as in Deuteronomy; but as we have already seen at length, it was this very expression which critics made use of to prove that Deuteronomy identified priests and Levites, yet here undeniably it is used by Ezechiel as a means of distinguishing the priests from the Levites! Again, Ezechiel not only qualifies the term "priests" by the adjective "Levitical," but he further limits it by adding the words, "sons of Sadoc." Now, according to Wellhausen and his school, we are to see in these words (*a*) the degradation of the Levites as a body from the priesthood which once was theirs by right as a body; and (*b*) the exaltation of the line of Sadoc to the sole possession of the priesthood. But to exalt the line of Sadoc is, unless Wellhausen would have us reject the whole of the history in the books of Kings, to degrade the line of Abiathar, consequently Ezechiel's legislation involves a cleavage in the *line of Aaron*, and thus presupposes what Wellhausen is so anxious to avoid, *viz.*, an already existing priesthood of Aaron and his sons.

Further, according to Wellhausen's view of the situation, we have no declaration on Ezechiel's part of any punishment to be meted out to the line of Abiathar beyond the statement which, at least as far as the latter is concerned, is merely negative, that the line of Sadoc alone is in future to possess the priesthood. Yet this is hardly likely. It is possible, however, that a more careful reading of the text will throw light on this question, for we need hardly say that we read the text very differently from Wellhausen. We cannot agree, for instance, to shut our eyes to all the past history of Israel, still less can we allow that it has been all *edited* in the light of a legislation dating from post-Exilic times. If we now turn to 4 Kings xxiii. 8, 9, we read as follows:—

8. And he (Josias) gathered together all the **priests** out of the cities of Juda: and he defiled the high places, where the **priests** offered sacrifice, from Gabaa to Bersabee: and he broke down the altars of the gates that were in the entering in of the gate of Josue governor of the city, which was on the left hand of the gate of the city.

9. However the **priests of the high places** came not up to the altar of the Lord in Jerusalem: but only eat of the unleavened bread among their brethren.

Wellhausen would at once declare that all these were Levites, and that the term "priests" is here equivalent to and co-extensive with "Levites," but that this is not the case is evident from 2 Chronicles xxxix. 34, where in the description of the Passover, celebrated by Ezechias, we are told that:—

34. The **priests** were few, and were not enough to flay the holocausts: wherefore the **Levites** their brethren helped them, till the work was ended, and **priests** were sanctified, for the **Levites** are sanctified with an easier rite than the **priests**.

Wellhausen would of course reply that this was only another proof that Chronicles was edited in the interests of the priestly caste which was responsible for **P**. But is this criticism? In accordance, then, with the principles already laid down we should understand Ezechiel's words as follows: in verses 6–9 Israel in general has offended in allowing strangers to minister in the temple; in verses 10-14 many of the tribe of Levi also have offended by ministering at the high places; all such, whether priests or inferior ministers, shall be degraded to the state of mere door-keepers and servants of the people who attend at the temple, and if they be priests they shall not act as priests לכהן לי, an expression which, it will be remembered, we have seen to be confined in the Pentateuch to the sons Aaron. This is in perfect accordance with 4 Kings xxiii. 9, quoted above. Ezechiel then goes on to enact that only Aaron's descendants in the line of Sadoc are to act as priests. This is a view of Ezechiel's words which is, we maintain, perfectly justified by the text and by the historical references given above, but it is only suggested here as being the plain meaning of the text taken by itself, and on the supposition that Ezechiel is, as Wellhausen supposes, laying down a code of laws for the government of the temple ministers. It is only suggested, because this supposition is fraught with many difficulties and to our thinking, the real explanation of Exechiel's words lies far deeper. For in

the first place we should have to explain how it comes to pass that the prophet is found laying down as a new law in the year 573 something which we have already seen was actually done in 620, or thereabouts, by Josias.

Secondly, how can we suppose that Ezechiel when a captive in Babylon made laws for the temple in Jerusalem? And lastly. do his words look like a legislative code? It would take us beyond our limits were we to enter upon a minute investigation of this question, but even a cursory reading of chaps. xl–xlviii. will show that they are rather a prophecy of what will come to pass in the latter days than a legislative code for the church of the restored people. This is the view generally held by the Fathers of the Church who have commented on Ezechiel, and if it is the true one it is destructive of the modern view regarding the late date of **P** or the Priestly Code.

Before leaving this question of the distinction between the priests and Levites it may be worth while to return for a moment to the use in the Bible of the word כהן; as already pointed out, in the Pentateuch it is confined to the priests or sons of Aaron, but, as we have seen, in Ezechiel xliv. 13 it is used of the Levites; we have shown that it is quite probable that in this latter passage the term "Levites" is used generally to include both priests and inferior ministers, but Wellhausen insists on the use of the term כהן, and maintains that the Levites here mentioned were considered to be priests. But an unbiassed examination of the question would have shown him that this conclusion was not justified. He maintains, as already stated, that Ezechiel in thus refusing to the Levites the right to "minister," כהן, any longer, broke the tradition according to which all Levites had indiscriminately been regarded as priests, and that this point was subsequently developed by the framers of the Priestly Code. Now no critic, even in his wildest flights of fancy, has ever ventured to put the composition of **P** later than that of Chronicles, yet this latter work gives the lie direct to Wellhausen's supposition, for **P**, as we have seen, is most careful never to apply the word כהן to any but the sons of Aaron; but the chronicler, who on the critical hypothesis is practically identical with, or at least is of like mind with, the framers of **P**, is not so careful about this distinction. When recounting the story of the Schism, he says (2 Chron. xi. 13, 14):—

13. And the priests and Levites, that were in all Israel, came to him out of all their seats.

14. Leaving their suburbs, and their possessions, and passing over to Juda, and Jerusalem, because Jeroboan and his sons had cast them off, from executing the priestly office to the Lord, (מכהן ליהוה).

He distinguishes between priests and Levites, but uses the word כהן of the functions of all indiscriminately, just as in Ezekiel xliv. 13; yet we cannot say that he does not know the precise significance of the term, for in 1 Chronicles xxiv. 1, 2, he says:—

1. Now these were the divisions of the sons of Aaron: The sons of Aaron: Nadab, and Abiu, and Eleazar, and Ithamar.

2. But Nadab and Abiu died before their father, and had no children: so Eleazar, and Ithamar did the office of the priesthood (ויכהנו).

Again, the books of Ezra and Nehemiah are historical, and whatever views we may hold regarding their composition we cannot deny the authentic character of the lists which they furnish. Now these lists supply us with some very curious details regarding the personnel of the temple service. We note, for instance, the curious fact that, while under Zorobbabel (Ezra ii. 36 40; Neh. vii. 43) 4289 priests returned, there were yet only 74 Levites with them—Ezra, indeed, by strenuous efforts (Ezra viii. 15–19) induced 38 to accompany him. Again, in the list of the dwellers in Jerusalem we only find 284 Levites, including singers, but 1192 priests (Neh. xi. 10-18). Another curious feature is that the personnel of the temple is no longer made up of priests and Levites only but of priests, Levites, singers, porters, and Nethinim. How are Levites to be distinguished from singers and porters? The Pentateuch and Chronicles have always indentified them. Is it not very probable that in these "Levites" who thus stand apart and are so few in number we are to see just those quondam "priests of the high places" who were degraded at the time of the reformation under Josias? They retain the honorific title of "Levite" but are not grouped with the mere Levites properly so-called, *because they had once been priests.* Surely all this confirms the pre-Exilic distinction between priest and Levite, and makes Wellhausen's jugglery—we can use no better term for it—with the text of Deuteronomy, etc., not only unnecessary but untrue to the facts of history, though, be it

remarked, there seem to be no *historical facts* for the Higher Critic!

And, as we are for the moment occupied with Ezra, how remarkable it is that in his book, where the distinction between priest and Levite is indubitable, he yet (ii. Ezra x. 29, x. 35, xi. 30) uses the very expression הכהנים הלוים which, when it occurs in Deuteronomy, critics say must mean an identification of the priests and Levites!

CHAPTER V.

The Alleged Proof from Deuteronomy itself that it belongs to the Seventh Century.

So far we have been concerned only with the arguments furnished by critics to prove that Deuteronomy belongs to post-Mosaic times; if we are satisfied that those arguments have no probative force we need not fear what follows. But it is only fair to say that the critical argument is twofold, for it is maintained that not only does a study of Deuteronomy show that it does not belong to Mosaic days but that both intrinsic and extrinsic arguments prove that its natural place is the seventh century. We are bound, then, to examine these arguments in detail.

According to 4 Kings xxii. 8, in the eighteenth year of Josias, *viz.*, about B.C. 623, Helcias the priest discovered in the temple "the book of the law," and the result of this discovery was, as we know, a drastic reformation of the temple-service. Now it is acknowledged by all that this law-book contained at least Deuteronomy, and many would say that it clearly contained other portions, if not the whole, of the Pentateuch. This latter point does not concern us at present, it is sufficient for our purpose that at least Deuteronomy was included. We have thus a "terminus ad quem" for the date of that book, it cannot belong to a later period. But critics maintain that the data furnished by 4 Kings xxii–xxiii. prove, especially when taken in conjunction with the arguments afforded by a study of Deuteronomy itself, that the time of its "discovery" practically marks also the time of its composition.

Two widely different views, however, are in vogue among critics on this point, and we may for convenience term the two opposing camps the "advanced" and the "moderate" schools respectively.

The "advanced" school roundly declares that this "discovery" of Deuteronomy was absolutely fraudulent, and that we ought to substitute for the word "found" the word "written." Thus Kuenen, rejecting the view that Deuteronomy was written under Manasses about B.C. 660, says: "The opinion that **D** wrote under Manasseh . . . seems at first to have an advantage in preserving the complete good faith of Hilkiah, Shaphan, and Huldah." But he adds, "How much more probable that he (the Deuteronomist) and other kindred spirits planned the means which should lead to the end they had in view! Experience had shown, under Hezechiah and Manasseh alike, that much, if not all, depended on the disposition of the king; and the problem therefore was how to secure Josiah for the plans of the reformers. Its solution is recorded in 2 Kings xxii. If this be so, then **D** himself must have been near to Josiah and must have worked in his reign" (*The Hexateuch*, pp. 219–220).

The "moderate" school takes up an intermediate position. Its upholders decline to commit themselves to the view that Helcias and his companions were guilty of deliberate forgery, but at the same time they feel that it is well-nigh impossible to hold that Deuteronomy was composed in the reign of Manasses, for, as Kuenen rightly says, "This view is open to the great, and in my opinion fatal, objection that it makes the actual reformation the work of those who had not planned it but were blind tools in the service of the unknown projector. Analogy is against the supposition. And the rôle assigned to **D** himself is almost equally improbable; for he is made to commit his aspiration to writing, urge their realisation with intensest fervour—and leave the rest to chance" (*l.c.*). Hence the 'moderate' school have been compelled to devise a view which we may, in default of a better term, call that of "unconscious forgery." According to this explanation we are not to regard the Deuteronomist and his companions as forgers in the modern sense of the word, we are rather to see in their action merely an extended application of what we are told is a common principle in Hebrew literary composition. Thus Professor Driver tells us (*Comment. on Deut.* Introd. pp. lvii–lviii.), "There was a *continuous Mosaic tradition*, embracing a moral, a ceremonial, and a civil element: the new laws, or extensions of old laws, which as time went on were seen to be desirable, were

accommodated to this tradition, and incorporated into it, being afterwards enforced by the priestly or civil authority as the case might be. . . . If it was the habit thus to identify the stream with the source, and to connect old laws, extended or modified, or even new laws, with the name of the original lawgiver, then the attribution of the laws in Deuteronomy to Moses ceases to be a proceeding out of harmony with the ideas and practice of the Hebrew nation. It is no fraudulent invocation of the legislator's name: it is simply another application of an established custom . . . . The books of Joshua, Kings, and Chronicles, for instance afford particularly clear examples of speeches either entirely composed or enlarged by the respective compilers; in the Chronicles, David, Solomon, and various early prophets even express ideas and use idioms which are distinctively *late*, and are mostly peculiar to the compiler of the Chronicles himself. . . . Deuteronomy, upon the critical view of its authorship, is merely an example, upon an extended scale, of the same practice, which has many and admirable precedents in the literature of the world." Driver then refers us to the dialogues, epics and tragedies of such writers as Plato, Dante, and Shakespeare, and even to the poem of Job. These creations, according to him, "have never been condemned as immoral frauds, because the characters introduced in them did not always, or ever, use the actual words attributed to them. But the author, in each case, having a message to deliver, or a lesson to teach, placed it in the mouth of the person to whose character it was appropriate, or whose personality would give it force, and so presented it to the world. *Mutatis mutandis*, the procedure of the Deuteronomist was similar. No elaborate literary machinery was needed by him, a single character would suffice. He places Moses on the stage, and exhibits him pleading his case with the degenerate Israel of Josiah's day. In doing this he assumes no unjustifiable liberty, and makes no unfair use of Moses' name: he does not invest him with a fictitious character; he does not claim his authority for ends which he would have disavowed: he merely develops, with great moral energy and rhetorical power, and in a form adapted to the age in which he lived himself, principles which . . . Moses had beyond all question advocated, and arguments which he would have cordially accepted as his own."

This view is still more emphatically stated by Dr. Cheyne: "Upon the whole I desiderate a larger theory to account for, and therefore to justify, the statements in Deuteronomy, 'And Moses said' and 'Moses wrote.' May we perhaps put the whole matter thus? The book is at once legal, prophetic and historical. Under each of these aspects a fully instructed Israelite might naturally call it 'Mosaic.' In so far as it was legal, it could be said that the author belonged to the 'Mosaic,' or, as we may describe it (in opposition to certain 'lying pens' (Jer. viii. 8)), the 'orthodox' school of legalists. Its priestly author claimed, virtually at any rate, the name of Moses (just as the school of the prophet-reformer Zarathustra, not only virtually, but actually, called itself by its founder's name, because he 'sat in Moses' seat,' and continued the development of the antique decisions of the lawgiver. That Deuteronomy xii–xxvi. was intended as a new edition of the old 'Book of the Covenant,' admits of no reasonable doubt. It was possibly in the mind of the author a 'legal fiction,' like similar developments in English, and more especially in Roman law, though this may not have been understood by Josiah. In so far as the book was prophetic, it was a 'Mosaic' work, because its author summed up the religious ideas of that prophetic succession of which Moses, as the writer fully believed, was the head. And in so far as it was historical, it was 'Mosaic' because the facts which it recorded were based on traditional records which the author believed to have come from Moses or his circle." [1]

Briefly, then, the critical position comes to this: —

Deuteronomy has been shown (*sic*) to be later than Moses.

4 Kings xxii–xiii. gives us a "terminus ad quem" for its composition.

There is no reason for assigning it to a date antecedent to Manasses.

But if written in his reign it is unintelligible.

But if written during the reign of Josias himself it is either conscious or an "unconscious" fraud.

It might have been supposed that so awkward a dilemma would have made critics retrace their steps and conclude that they were

[1] *Founders of Old Testament Criticism*, pp. 277, 278.

wrong in maintaining the post-Mosaic date of the book. But this in never the method of the "Higher Critics"; instead they set about devising a series of arguments drawn from Deuteronomy itself, which, according to their view, justify its assignment to the age of Josias.

It will be our business, then, to examine 4 Kings xxii-xxiii. for ourselves and see what conclusion is deducible from a plain and straightforward reading of the text; we shall also have to examine the arguments brought forward from Deuteronomy itself in favour of its seventh-century date.

We will take the last point first. The arguments as given by Driver may be briefly stated as follows:—

1. The laws of Deuteronomy and those of the book of the Covenant are separated by a complete social revolution.

2. The "law of the kingdom" (Deut. xvii. 14-20) is clearly a reminiscence of Solomon.

3. The Constitution of the supreme tribunal (Deut. xvii. 8-13) supposes it already constituted, but this was done—according to the chronicler—by Josaphat.

4. The worship of the "host of heaven" (Deut. iv. 19 and xvii. 13) was common in the seventh century; previous to that period it is not mentioned.

5. There is no certain trace of the influence of Deuteronomy in writings previous to the time of Jeremias, who, however, shows abundant signs of acquaintance with the book.

6. The highly developed rhetorical style of Deuteronomy implies a long development of the art of public oratory, and is therefore incompatible with the Mosaic age.

7. The theological teaching of Deuteronomy is indicative of a long period of theological reflexion, and is the same as that which we find in Jeremias and Ezechiel.

8. In Deuteronomy xvi. 22 the setting up of a "mazzebah" or obelisk is condemned, yet Isaias xix. 19 adopts this very "mazzebah" as a symbol of the future conversion of Egypt. Therefore Isaias cannot have known the Deuteronomic law on the subject.

9. Deuteronomy xviii. 20-22 supposes that conflicts between true and false prophets already existed, but this would bring us down to the eighth century at least.

10. The religious and the national experiences depicted in

Deuteronomy are much wider than we can suppose to have been the case in the Mosaic age.

11. The use of the expression 'beyond Jordan' in Deut. 1, 1–5; 3, 8; 4, 41–49, etc.

No. 1. The laws of Deuteronomy and those of the book of the Covenant are separated by a complete **social revolution**.

As this statement goes to the root of the matter and depends entirely upon the view which a study of all the evidence enables us to form of the true character of Deuteronomy, we can only refer to the preceding chapter (ii.) where we have passed in review some of the evidence brought forward by critics in favour of their assertion that this gulf exists; we may also refer to chapter x., "The witness of Deuteronomy to itself."

No. 2. "The law of the kingdom" is said to be so vivid a picture of Solomon that it must have been drawn after the sad events of his latter years had "stained his glory." This assertion is about as arbitrary as could well be imagined! Yet Kuenen does not hesitate to say. "The law of the monarchy (Deut. xvii. 14–20) was written after Solomon's time and with the express purpose of averting errors such as his. This is especially obvious in verse 17, alike from the use of נשים [wives] by itself (unintelligible in connection with what follows, unless we mentally supply נכריות [strange] from Solomon's history), and from ולא יסור לבבו [that his heart turn not away], evidently written by some one acquainted with the consequences of Solomon's polygamy. How much more probable this is than that Solomon should not only have transgressed the law, but gone on to justify its apprehensions by his own example!" We would like to think that a piece of "Higher Criticism" such as this was unique, but alas it is only too common among a certain class of critics and has done much to bring literary criticism of the Bible into disrepute. But the baneful character of this piece of criticism is only apparent when we come to study the actual text, for it is here torn from its context, and the Hebrew quotations give it a fictitious look of solidity which is altogether belied by the facts. Kuenen tells us in effect that no sane writer could have written "neither shall he multiply *wives* to himself, that his heart turn not away," because, says our oracle, only *foreign wives* could so turn his heart away, as we learn from the story of Solomon! The word

"foreign" must, then, have been carelessly omitted by the Deuteronomist when he was occupied in copying, or miscopying Kings! And this is sane criticism! We cannot help wondering, at times what verdict posterity will pass upon the critics of the nineteenth and twentieth centuries!

We give the actual words of Deuteronomy xvii. 14–20:—

14. When thou art come into the land, which the Lord thy God will give thee, and possessest it and shalt say; I will set a king over me, as all nations have that are round about:

15. Thou shalt set him whom the Lord thy God shall choose out of the number of thy brethren. Thou mayst not make a man of another nation king, that is not thy brother.

16. And when he is made king, he shall not multiply horses to himself, nor lead back the people into Egypt, being lifted up with the number of his horsemen, especially since the Lord hath commanded you to return no more the same way.

17. He shall not have many wives, that may allure his mind, nor immense sums of silver and gold.

18. But after he is raised to the throne of his kingdom, he shall copy out to himself the Deuteronomy of this law in a volume, taking the copy of the priests of the Levitical tribe.

19. And he shall have it with him, and shall read it all the days of his life, that he may learn to fear the Lord his God, and keep his words and ceremonies, that are commanded in the law.

20. And that his heart be not lifted up with pride over his brethren, nor decline to the right or to the left, that he and his sons may reign a long time over Israel.

Here are five negative conditions: 1. The king is not to be a foreigner. 2. He is not to multiply horses. 3. He is not to endeavour to lead the people back to Egypt. 4. He is not to multiply wives. 5. He is not to accumulate vast sums of silver and gold.

At first sight it would seem as though this really was an exact portrait of Solomon, but when we look into it a little more closely certain very noticeable differences appear. In the first place, there never was any question as to Solomon's birth, no one ever suggested that he was a foreigner. Secondly, he never proposed in any way to lead the people back to Egypt, and here it must be noted that the prohibition to multiply horses is not absolute, he is only forbidden to do so *with a view to leading the people back to Egypt.* And it is at least remarkable that in 3 Kings x. 25–29, where we are told of Solomon's wealth, etc., he is never blamed for it, whereas, in xi. 1–13 he is not only

blamed for the multitude of his wives, but the author would seem to make special reference to this very passage in Deuteronomy and also to vii. 3-4:—

3. Neither shalt thou make marriages with them: Thou shalt not give thy daughter to his son, nor take his daughter for thy son:

4. For she will turn away thy son from following me, that he may rather serve strange gods, and the wrath of the Lord will be kindled, and will quickly destroy thee.

Moreover, who dare say that the temptations thus predicted for the future king were not precisely those to be apprehended? The prohibition of a foreigner as King was perfectly natural at the time, the Israelites were hardly a nation, only a few years before they had been slaves and had had no pretence at a national life; there were, moreover, many foreigners amongst them; they had, too, just come into contact with the mighty kings of the Amorrhites, and it would be a very natural temptation for them to settle down, as some of them actually did before long, into a state of peaceful but degrading slavery under a foreign yoke, indeed the whole history of the Judges proves that this was an actual danger. Again the temptation to go back to Egypt was a real one as we are repeatedly told in the Pentateuch, but have we the remotest ground for supposing it to have been so at the time of Solomon? Critics would say that this is not the point, but that the danger existed at the time when, according to them, Deuteronomy was composed, *vis.*, about 620. But the very opposite is the case, for though there was an Egyptian party in the time of Isaias, about 720, there was nothing of the kind in the days of Josias. We all know how this king treated Pharaoh Nechao, and the people were certainly with him.

So much for the negative precepts, but there remains the positive command that the newly-elected king is "to copy out to himself the Deuteronomy of this law in a volume, taking the copy of the priests of the Levitical tribe;" the words "the Deuteronomy of" should of course be "the copy of." Now we are nowhere told that any king did this, but we are told that when Joas was crowned "they gave him the *testimony*" (4 Kings xi. 12); what was this *testimony*? The word used is עדות, a word which does not occur in Deuteronomy, but which is very frequently used in Exodus, Leviticus and Numbers, and which in

Exodus xxv. 16 and xxxi. 18, is expressly used of the tables of the Decalogue which Moses placed in the ark. Now is it credible that when the kings were crowned the sacred "tables" were taken out of the ark and put into the hands of the king? It is antecedently improbable. But the word "testimony" is constantly used as synonymous with the "law," *e.g.*, throughout Psalm cxviii., and expressly in Psalm lxxvii. 5: "He set up a testimony (עדות) in Jacob, and made a law (תורה) in Israel" (*cf.* Ps. lxxx. 6). Now there is not the remotest reason why this "testimony," which was put into the hands of Josias, should not have been a copy of Deuteronomy; of course critics will not have it so because it does not harmonise with their conclusions. But the very fact that the word "testimony" is so vague seems to us to tell against the critical position. For, according to them, Deuteronomy was composed about 620; I–IV. Kings, to judge by the last date mentioned, *viz.*, the relief afforded to Jechonias in 562, cannot have been completed before the Restoration: and Chronicles, whose author was a member of the priestly body and therefore imbued with the principles of the Priestly Code (*sic*), was compiled later still; Deuteronomy was, therefore, a recent piece of legislation, and though, according to the critics, the identification which it is supposed to make between priests and Levites was rejected by the framers of the Priestly Code, yet its principles as a whole were accepted. But if this view of the case is the correct one is it likely that the chronicler would describe the investiture of Joas in such vague terms? We can hardly believe that he would make Joiada present the king with the tables of the law! Nor can we believe that if Deuteronomy was the recent priestly creation which critics make it out to be the chronicler would have neglected so obvious an opportunity of enforcing its teaching as would have been afforded by Deuteronomy xvii. 18. We should surely expect him to say that Joiada presented the king with "a copy of the law according to the copy of the Levitical priest," but instead of this he says: "They put the crown upon him, and gave him the testimony, and made him king" (2 Chron. xxiii. 11).

But another difficulty is raised by critics. In the words of Professor Driver again: "It remains to consider briefly the relation of Deut. xvii. 14-20 to the account in 1 Samuel of the establishment of the monarchy in Israel. This is told in *two* narratives. In

one, the older narrative (ix. 1–10, 16, 27*b*, xi. 1–11, xv. 13–14), the proposal to appoint a king is viewed without the smallest disapproval or censure; in the other (vii. 2–17, viii. x. 17–*27a*, xii.) it is treated as a grave offence against Jehovah, and fraught with danger for the nation's future (viii. 11–18)." Driver then adds that we are not to suppose that in these narratives we have Samuel's *ipsissima verba*, but that they are presented to us in a form "moulded by the experiences of a later age when the evils which the monarchy had brought with it . . . had made themselves keenly felt." He continues: "This narrative, now, shows no indications of the law of Deuteronomy having been known in *fact*, either to Samuel or to the people who demanded of him a king; had such been the case, it is incredible either that Samuel should have resisted the application of the people, as he is represented as doing, or—if *per impossibile* he did this—that the people should not have appealed to the law as a sufficient justification of their request; the supposition (which would admit of the law not being unknown to him) that Samuel condemned not the request, as such, but the temper in which it was made, not being borne out by the terms of the narrative" (*Comment.* pp. 212, 213).

We have here a typical example of the "critical" mode of investigation—or, shall we say, "assertion"? It is assumed that the narrative is double; it is further assumed that the traditional explanation of Samuel's attitude to the people's request is an impossible one. But in the first place, what grounds are there for saying that we have here a twofold account of the event? The particular passages which concern us are viii. 4–9 and x. 17–19, 25. We will put them in parallel columns:—

A. x. 17–19, 25.	B. viii. 4–22.
17. And Samuel called together the people to the Lord in Maspha:	4. Then all the ancients of Israel being assembled, came to Samuel to Ramatha.
18. And he said to the children of Israel: Thus saith the Lord the God of Israel: I brought up Israel out of Egypt, and delivered you from the hand of the Egyptians, and from the hand of all the kings who afflicted you.	5. And the said to him: Behold thou art old, and thy sons walk not in thy ways; make us a king, to judge us, as all nations have.
19. But you this day have rejected your God, who only hath saved you out of all your evils and your tribu-	6. And the word was displeasing in the eyes of Samuel, that they should say: Give us a king, to judge us. And Samuel prayed to the Lord.

lations: and you have said: **Nay: but set a king over us.** Now therefore stand before the Lord by your tribes, and by your families.

25. And Samuel told the people the law of the kingdom, and wrote it in a book, and laid it up before the Lord: and Samuel sent away all the people, every one to his own house.

7. And the Lord said to Samuel: Hearken to the voice of the people in all that they say to thee. For they have not rejected thee, but me, that I should not reign over them.

8. According to all their works, they have done from the day that I brought them out of Egypt until this day: as they have forsaken me, and served strange gods, so do they also unto thee.

9. Now therefore hearken to their voice: but yet testify to them, and foretell them the right of the king, that shall reign over them.

10. Then Samuel told all the words of the Lord to the people that had desired a king of him,

11. And said: This will be the right of the king, that shall reign over you: He will take your sons, and put them in his chariots, and will make them his horsemen, and his running footmen to run before his chariots,

12. And he will appoint of them to be his tribunes, und centurions, and to plough his fields, and to reap his corn, and to make him arms and chariots.

13. Your daughters also he will take to make him ointments, and to be his cooks, and bakers.

14. And he will take your fields, and your vineyards, and your best olive-yards, and give them to his servants.

15, Moreover he will take the tenth of your corn, and of the revenues of your vineyards, to give his eunuchs and servants.

16. Your servants also and handmaids, and your goodliest young men, and your asses he will take away, and put them to his work.

17. Your flocks also he will tithe, and you shall be his servants.

18. And you shall cry out in that day from the face of the king, whom you have chosen to yourselves: and the Lord will not hear you in that day, because you desired unto yourselves a king.

19. But the people would not hear the voice of Samuel, and they said: **Nay: but there shall be a king over us.**

20. And we also will be like all nations: and our king shall judge us, and go out before us, and fight our battles for us.

21. And Samuel heard all the words of the people, and rehearsed them in the ears of the Lord.

22. And the Lord said to Samuel: Hearken to their voice, and make them a king. And Samuel said to the men of Israel: Let every man go to his city.

Even when thus given in full, however, these two passages are torn from their context and thus distorted; but even without referring to the context it is not unreasonable to see in them the demand and its natural sequel. It will be noted, too, that **A**, or x. 17–19, 25, is put first as being "the older narrative," though no grounds are given for so regarding it. Perhaps it is because it is simpler and shorter. Yet surely that is merely because it is the sequel to **B**. Moreover, **B**, on Driver's own admission, "has points of contact with Deuteronomy," but he gets rid of this awkward fact by saying that this aroma of Deuteronomy only existed in the mind of the *author*, and not therefore in the minds of Samuel and his audience, for he says, "it cannot be regarded as containing the *ipsissima verba* of either Samuel or the people." He regards the narrative, then, as having been drawn up long after the events it commemorates took place, and by some one acquainted with Deuteronomy, and therefore after B.C. 620. That when the events themselves took place none of the actors in them knew of the Deuteronomic law is said to be evident from the fact that had he known the law Samuel could never have refused their request, and that had he even then done so the people would of course have appealed to Deuteronomy in support of their claim. This *sounds* convincing, and yet we doubt whether it will bear investigation. For (*a*) Deuteronomy nowhere *sanctions* the idea of having a king, it merely looks forward and sees that such a request is inevitable, because the theocratic form of government will prove too sublime for carnal Israel. It foretells,

then, the demand and—without in the least sanctioning it—safeguards it and endeavours to make the future kings of Israel as innocuous as possible. And what more natural than that Moses should foresee that such a demand would be made? The nations all around had kings, no other form of government was known, and its advantages, humanly speaking, were indubitable. (*b*) Again can we suppose that at the time of Samuel the populace had ready access to the law? Yet this is what the argument we are examining would seem to suppose. The law was, it is true, in the hands of the Levitical priests, but the country was in a state of turmoil, they had not "come to rest." Can we suppose for a moment that any regular course of instruction in the law was possible? Can we, again, suppose that copies of the law were abundant, or even that there were any copies at all at that time? If the history as given in Judges, etc., is to be accepted, we should be inclined to give a decidedly negative answer to these questions. (*c*) Once more, what precisely was Samuel's attitude to the people's request? Professor Driver says that "the supposition that Samuel condemned not the request, as such, but the temper in which it was made," is "not borne out by the terms of the narrative" and we are inclined to agree with him, but we also think that a careful examination of the narrative will afford us a very simple explanation of Samuel's attitude, and will at the same time show that the narrative bears upon it at least two striking indications of its authentic character, indications too, which tend to show that it is not, as the Professor would have us think, merely a sixth century account by some writer acquainted with Deuteronomy of what Samuel might have been expected to say.

If we take the narratives in the order given us in the Bible, and not in the order assigned to them by critics, we have the following facts: viii. 6, "But the thing displeased Samuel when they said, Give us a king, to judge us"; he at once sought refuge in prayer, and the divine answer shows what it was, at least in part, that displeased Samuel, "for they have not rejected *thee*, but they have rejected *Me* that I should not be king over them." With the delicacy begotten of truthfulness the author depicts to us Samuel the man, it is the insult to himself and to his kin that he feels; not that he is blind to the insult to God, but he cannot help feeling deeply hurt that the people whom he had

raised up from a state of degrading servitude should be so quickly forgetful of his claim upon their gratitude. Is not this the cachet of truth? viii. 10–18, Samuel expounds to them "the manner of the king"; viii. 19, "But the people refused to hearken unto the voice of Samuel; and they said, Nay; but we will have a king over us" לֹא כִּי אִם-מֶלֶךְ יִהְיֶה עָלֵינוּ. The preliminaries are settled, they are to have a king, but the question of his choice demands delay. Meanwhile God reveals to Samuel that Saul will be elected, and in x. 17–25 Samuel summons the people and briefly resumes (the older narrative of Professor Driver and the one which according to him bears no trace of disapproval of the wish to have a king) what he had said before; and it is here that the second indication of the authenticity of the story comes in x. 19, "Ye have this day rejected your God (not a word now about himself), who himself saveth you out of all your calamities and your distresses; and ye have said: Nay, but set us a king over us." These are the very words they had spoken before, and it is hard not to see in their repetition a clear instance of quotation; does not this destroy the theory that we are in presence of a double narrative? At the same time it is fair to note that there is a certain amount of ambiguity in the Hebrew text which runs, לוֹ (לא) כִּי-מֶלֶךְ תָּשִׂים עָלֵינוּ; whether we are to read לוֹ "to him," as in R.V., or לֹא, which will then form one phrase with כִּי and mean "not so but," as in viii. 19, is not clear. It is well known that in the Hebrew text of Samuel these two forms are often confused; *cf.* 1 Sam. ii. 3 לֹא, but לוֹ in Q'eri; ii. 24, where we have the negative written in full, לוֹא, a very unusual thing; *cf.* xvii. 29, xix. 4; Deut. iii. 11 הֲלֹה where in Q'eri הֲלֹא is indicated. Lastly, in 1 Samuel ii. 16 we have an exact parallel to x. 19, לוֹ כִּי עַתָּה תִּתֵּן "nay, but thou shalt give it me now," R.V.; *cf.* xx. 2.

No. 3. **The Civil and Ecclesiastical tribunal** depicted in Deuteronomy xvii. 8-12 supposes it already constituted, but according to the chronicler this took place in the time of Josaphat, therefore Deuteronomy must date from a later period. Thus Kuenen says: "The ordinance of Deuteronomy xvii. 8-13 presupposes the existence of a high court of appeal at Jerusalem under a twofold presidency, spiritual and civil. Such a court was surely not the creation of the early years of the monarchy. The chronicler

says it was instituted by Jehosaphat (2 Chron. xix. 8-11), and his statement may deserve credit; but if the long period that lies between his own date and ± 900 B.C. makes us question his authority, we shall suppose that he antedates the institution rather than the reverse. This would throw the deuteronomic ordinance, which implies that this court of appeal had been established, so much the later." [1]

At the risk of wearying our readers we will put these two passages also in parallel columns:—

Deut. xvi. 18.	2 Chron. xix. 5–11.
18. Thou shalt appoint **judges** and magistrates in all thy gates, which the Lord thy God shall give thee, in all thy tribes: that they may judge the people with just judgment.	5. And he set **judges** of the land in all the fenced cities of Juda, in every place.
Deut. xvii. 8–12.	
8. If thou perceive that there be among you a hard and doubtful matter in judgment between blood and blood, cause and cause, leprosy and leprosy: and thou see that the words of the **judges** within thy gates do vary: arise, and go up to the place, which the Lord thy God shall choose.	6. And charging the **judges,** he said: Take heed what you do: for you exercise not the judgment of man, but of the Lord: and whatsoever you judge, it shall redound to you.
9. And thou shalt come to the **priests of the Levitical race,** and to the judge, that shall be at that time: and thou shalt ask of them, and they shall shew thee the truth of the judgment.	7. Let the fear of the Lord be with you, and do all things with diligence: for there is no iniquity with the Lord our God, nor respect of persons, nor desire of gifts.
10. And thou shalt do whatsoever they shall say, that preside in the place, which the Lord shall choose, and what they shall teach thee	8. In Jerusalem also Josaphat appointed **Levites, and priests** and chiefs of the families of Israel, to judge the judgment and the cause of the Lord for the inhabitants thereof.
11. According to his law; and thou shalt follow their sentence: neither shalt thou decline to the right hand nor to the left hand.	9. And he charged them, saying: Thus shall you do in the fear of the Lord faithfully, and with a perfect heart.
12. But he that will be proud, and refuse to obey the commandment of the **priest,** who ministereth at that time to the Lord thy God, and the decree of the judge, that man shall	10. Every cause that shall come to you of your brethren, that dwell in their cities, between kindred and kindred, wheresoever there is question concerning the law, the commandment, the ceremonies, the justifications: shew it them, that they may not sin against the Lord, and that wrath may not

[1] *The Hexateuch*, pp. 217–218.

die, and thou shalt take away the evil from Israel:

come upon you and your brethren: and so doing you shall not sin.

11. And Amarias **the priest** your high priest shall be chief in the things which regard God: and Zabadias the son of Ismahel, who is ruler in the house of Iuda, shall be over those matters which belong to the king's office: and you have before you **the Levites** for masters, take courage and do diligently, and the Lord will be with you in good things.

What more natural than to see in the words of the chronicler an account of Josaphat's fulfilment of the Deuteronomic precept? And if we feel compelled to distinguish between the fact and its narration we surely need not say that the chronicler has invented the fact because he tells it almost in the words of Deuteronomy? A saner criticism would be that Josaphat merely carried out a law which he found in Deuteronomy, and that the chronicler described his act in the language of Deuteronomy. And critics have to face here exactly the same difficulty as that which we have elsewhere pointed out in their treatment of the passage about the "law of the kingdom," *viz.*, that the chronicler, who is so careful to distinguish between the priests and the Levites, must, if critics are right, have deliberately changed the legislation of Deuteronomy, which, according to the critical view, identified the priests and Levites.

No. 4. **The worship of the "Host of Heaven."** — On this point we will give Professor Driver's words in full: "The forms of idolatry alluded to, especially the worship of the 'Host of heaven' (iv. 19, xvii. 3), point to a date not earlier than the second half of the eighth century B.C. It is true the worship of the sun and moon is ancient, as is attested even by the names of places in Canaan: but in the notices (which are frequent) of idolatrous practices in the historical books, from Judges to Kings, no mention of the 'Host of heaven' occurs until the reign of Achaz; and in the seventh century it is alluded to frequently." In the note appended we are told that in "II. (IV.) Kings xvii. 16 (Deut.) the reference is vague."

We do not think we shall be exaggerating if we say that all the evidence available points to a conclusion diametrically opposed

to that here proposed to us. (*a*) The worship of the "host of heaven" is synonymous with the worship of the sun, moon and stars. For though in 3 Kings xxii. 19 the "host of heaven" means "the angels," there are numerous passages where it indubitably means the heavenly bodies. (*b*) If we are to hold the critical view of religious evolution, the worship of the heavenly bodies should have been among the earliest forms of naturalistic cult. (*c*) This cult was indeed very old, the Canaanite cities betray it in their very names, *e.g.*, Beth-Shemesh, En-Shemesh and Jericho.[1] (*d*) In Babylonia it had long played an important part, in a tablet descriptive of the Flood Shamas is said to have been its cause.[2] (*e*) In Egypt the worship of the solar disc can be traced back to the Fifth Dynasty,[3] though in Babylonia it does not appear possible to trace it back beyond the time of Hammurabi. But we do not therefore think that in Palestine this form of worship was derived from Babylonia, though this is the view generally held. For in the first place it can be traced back, as already seen, to a very remote time in the history of Egypt; secondly, it was a natural form of religion and, therefore, quite likely to be indigenous to every part of the East. Now Deuteronomy implies that this particular form of religious cult would be a very real source of danger to the Israelites on entering Palestine, and, *pace* the critics, everything tends to show that there was good ground for his fears. For if Deuteronomy really does date from the fifteenth century B.C., its author must have known what he was saying when he declared that the Canaanites were particularly addicted to the worship of the heavenly bodies, and recent investigation has abundantly confirmed his statements. Those who have followed the excavations now being conducted at Gezer, an old Canaanite city, will have noticed the remarkable zodiacal tablet discovered there in the year 1907. On this tablet are figured the sun, moon and stars, together with the signs of the zodiac. As Mr. Johns remarks in his investigation[4] of the tablet: "What seems most significant is the occurrence on Palestinian soil

1 Driver, Hastings' *Dict. Bible*, ii. p. 429 *b*.

2 Sayce, *H.C.M.* p. 113.

3 Sayce, *Religions of Ancient Egypt and Babylonia* (Gifford Lectures), 1902, p. 89.

4 *Quarterly Statement of the Palestine Explor. Soc.* Jan. 1908, p. 28.

of such a striking example of the kind of object which elsewhere is taken as evidence for the astral religion of Babylonia. This is evidence that, whatever the exact nature and purpose of the emblems, they are common to Babylonia and Palestine. There is, of course, the alternative to be considered, whether this tablet was not sent, or brought, direct from Babylon." The alternative suggested is possible, but it is noticeable that though many Egyptian remains have been unearthed at Gezer, very few from Babylon have been so discovered; even the Assyrian cuneiform tablets there found may possibly have been made on the spot, as indeed their dating seems to indicate. The Tel-el-Amarna tablets bear the same witness, for the Pharaoh is commonly addressed by the vassals in Palestine as "My Sun-God, the Sun-God who is in heaven" (*cf.* No. 124 in Winckler and Abel). And though the writer is addressing an Egyptian, he himself is a Canaanite.

Another very interesting proof of the deep root which this form of religion had taken in Canaan is also furnished by the excavations at Gezer. Great numbers of what are commonly known now as "Astarte-plaques" have been found. They are rude effigies of Athar-Astarte, who is frequently mentioned as A-tar-sa-ma-in, or "Athar of heaven," the goddess of a North Arabian tribe of Kedarenes.[1] And this "Athar of heaven" is no other than the "Queen of heaven" to whom, as Jeremias complains,[2] the Israelites had devoted themselves. But this carries us a step further back, for this deity was worshipped on the house-tops as Jeremias implies, and as Strabo[3] tells us was the custom of the Nabateans, the descendants of these same North Arabian tribes. But this, again, is precisely what we are told of Achaz in 2 Kings xvii. 16. Hence we are fully justified in identifying the worship which Achaz practised with that of the old Canaanites, and with that of which Jeremias complained in the Israel of his own day.

We mentioned above that Professor Driver called this reference in 2 Kings xvii. 16 "vague." He also labels it "Deuter.," as though to signify that it is due to the influence of the Deuteronomic editor. Now, why does he do this? It seems to us, though

[1] Schrader, *Cuneiform Inscriptions and the Old Testament*, vol. ii. p. 107.

[2] xix. 13; *cf.* xliv. 17-19, 25.

[3] xvi. 4, 26; *cf.* Robertson Smith, *The Religion of the Semites*, p. 230, note, new edition, 1894.

we say it with hesitation, that his only reason for so doing is that this text unfortunately conflicts with his view of Deuteronomy! And here we may be permitted to remark on the methods adopted by so many critics of to-day. They wish to prove a certain point because it fits in with their theories; immediately hints become assertions, silence is a positive argument, and any passage which conflicts with their view of the evidence must be ruthlessly cut away. And no one who has read much in modern critical works will deny that this is a just impeachment To give only one example, have we not all been amazed to find the silence of Elias about the sanctuary of the golden calf at Bethel construed into direct approval? We shall return to this point later on, but we may indicate its bearings with regard to the question at issue. For the question we are discussing amounts to this: Were the Israelites addicted to astral worship before the eighth century B.C.? If they were, then the critical school loses one of its arguments for denying the early date of Deuteronomy. In favour of an affirmative answer we have, (1) the positive assertion of Deuteronomy to that effect; (2) the proof afforded by archæology that the Canaanites were addicted to this particular form of idolatry at a very early period; (3) in the Bible itself a well-known passage in Job which implies that such idolatry was only too familiar: "If I beheld the sun when it shined, or the moon walking in brightness, and my heart hath been secretly enticed, and my hand hath kissed my mouth; this also were an iniquity to be punished by the judges, for I should have lied to God that is above" (xxxi. 26, 27). The date of Job is, of course, disputable, but no one yet has given satisfactory reasons for rejecting its early date; (4) while it is open to dispute how far this passage in Job will prove that Israelites were addicted to this form of idolatry, the assertion in 3 Kings xvii. 16 that Achaz was guilty of it is clear proof that at least a hundred years before the time of Josias, and therefore before the date assigned by critics to Deuteronomy, this form of idolatry was practised in Israel; (5) the undeniable fact that Israel adopted the idolatrous worships of all the surrounding nations in the time of Solomon; (6) and lastly, the express declaration of Amos v. 25, that even in the desert the Israelites had given themselves up to an astral form of idolatry. Here is a mass of evidence the cumulative force of which cannot be denied: and against it what

have critics to allege? Nothing but the silence of the history antecedent to the eighth century! They neglect the evidence afforded by Job; they disregard the witness of the very names of the Canaanite towns; they shut their eyes to the idolatrous tendencies of Israel—when it suits them to do so—they whittle away the force of the passage in Amos referred to above, a passage which has been more misused than most passages which have had the misfortune to fall under the critical scalpel—and all because the evidence disagrees with their theory! No one can deny these facts. They are patent. Dare any one call such methods critical?

No. 5. There is no trace of the **influence of Deuteronomy** in writings previous to the time of Jeremias who, however, shows abundant signs of acquaintance with the book.

For a discussion of this question we must refer to the chapter (VIII.) on "The Literary Affinities of Deuteronomy."

Nos. 6, 7, 10, may be conveniently grouped together. We are told that the reflective tone of the **theology**, the width of **religious experience**, and the flights of practised **oratory**, are not such as we should expect in the Mosaic age.

We might well retort that this is to beg the whole question, for Deuteronomy itself is the best refutation of the statement. We might also point out, as we have done elsewhere, that recent archæological investigations have lifted the veil from the Mosaic age, and have shown it to have been very far indeed from the semi-barbarous period of which critics have drawn us such gloomy pictures. We will content ourselves, however, with a reference to passages in Genesis which all must concede to be at least long anterior to the eighth century. Who can deny the theological depth of Genesis iii. 14–20, the Protevangelion as it has well been called? Similarly in iv. 7 the doctrine of sin is most clearly and theologically expressed; again, in xiv. 19, Melchisedec's solemn words: "I have lifted up my hand to the Lord, God Most High, possessor of heaven and earth," is unsurpassed by anything in Deuteronomy. Who will deny to xviii. 22–32 the character of very real and lofty oratory? And who can sneer at the pathos and deep poetical feeling of chapters xxi. and xxii., where we have the stories of Agar and of the attempted sacrifice of Isaac?

Moreover, critics talk as though the seventh century ought to be more productive in oratory and theological insight than the

Mosaic age. Yet no proof of this is forthcoming. If the historical books count for anything we should rather look upon the period between Moses and Isaias as particularly barren; it is the fashion nowadays to talk of religious evolution, but can any one who knows the human heart seriously maintain this? We know that what we are saying will not be accepted by the critical schools which unfortunately claim, and have had conceded to them, the right to dictate to a credulous world their dogmatic views on theology, philosophy and ethics; but is it true that religious progress is commensurate with the age of the world? We think not, but that religious decadence is rather the characteristic of the world as it waxes old. And when we said that the historical books pictured to us a rather barren period in Israel's development we spoke from the standpoint of the critics. We who regard David as an historical character and the Psalter as, at least in great part, the outcome of his genius, take a very different view from that of the modern critic, for we look upon the historical books much as a sound criticism has taught us to look upon the Gospels, *viz.*, as only in an imperfect sense biographical. They are not written as mere historical chronicles, but as the record of God's dealings with the chosen people; they afford us no deep insight, rather only a passing glimpse, into the development, civil, moral and religious, of the people of Israel. But the passing glimpse is sufficient for a true student; there is no record, indeed, of literary progress, but we are told incidentally that David was a psalmist and psalms are preserved for us bearing his name, and they are, and ever will be, unsurpassed as records of religious communings with God. And we go further, the age which produced David could not have been an illiterate one, nor could the ages that preceded have been so either, for David was a man of war and possessed of little leisure. His poetry, then, must have been, if we may so express it, in the very blood of the nation, it must have been a national heritage, and, above all, it must have been cultivated. And why should it not have been? If Naram-sin and his son Sargon I. have left us inscriptions which take us back to the fourth millennium B.C.,[1] why should Moses, "instructed in all the wisdom of the Egyptians," and living towards the close of the second millennium

[1] *Cf. Records of the Past,* New Series, vol. i. p. 37, foll.

B.C., have been less capable of "flights of oratory and of theological speculation"?

No. 8. Deuteronomy xvi., 22 condemns the setting up of a **pillar** or מצבה, but Isaias xix. 19 adopted this very "pillar" or מַצֵּבָה as a symbol of the future conversion of Egypt to the faith; this he could not have done had he known the Deuteronomic precept.

Deut. xvi. 21, 22.

21. Thou shalt plant no grove, nor any tree near the altar of the Lord thy God:

22. Neither shalt thou make nor set up to thyself a statue (**pillar**); which things the Lord thy God hateth.

Isaias xix. 19, 20.

19. In that day there shall be an altar of the Lord in the midst of the land of Egypt, and a monument (**pillar**) of the Lord at the borders thereof.

20. It shall be for a sign, and for a testimony to the Lord of hosts in the land of Egypt.

We suppose we are bound to take such objections seriously, but we may be excused if we say that a theory which finds its support in arguments like these must be a very anæmic one indeed! Can Isaias be said to have *approved* the "pillar"? And why should he be said to have *adopted* it? And what about the "altar in Egypt"? Critics tell us we are to regard the "genuine" Isaias as one of the precursors of Deuteronomy; his monotheistic preaching was the herald, so we are told, of the reformation inaugurated by the Deuteronomist; and yet we find him foretelling that an altar – in *Egypt of all places* – "shall be for a sign and for a witness unto the Lord of Hosts." Now the word מַצֵּבָה really means "obelisk," and is so rendered by R.V. in the margin, and there can be no doubt that Isaias is referring to the well-known obelisk at Heliopolis where the altar he foretold was later established by Onias (*cf. infra*). This obelisk was a landmark; Moses must have often gazed at it, and it is still standing there!

Moreover, it is clear that there were two kinds of מצבות or "pillars"; Jacob's stone – commemorative of his vision – is termed a מַצֵּבָה (Gen. xxviii. 18, 22, xxxi. 13, xxxv. 14); so also the "pillar" set up by Laban and Jacob (Gen. xxxv. 14, 20); similarly, too, the "pillar" erected by Jacob over Rachel's grave is termed מַצֵּבָה (Gen. xxxv. 20). Nor can we say that these "pillars" had become an abuse in the time of Moses and were therefore condemned wholesale, for we find Moses himself erecting "twelve pillars, מַצֵּבָה, according to the twelve tribes of Israel" (Exod.

xxiv. 4). But it is noteworthy that in many passages where these "pillars" are condemned they are joined with the Asherah, as in the passage under discussion, or with the graven images, פְּסִילִים, *cf.* Mich. v. 12; Deut. vii. 5, for example; while in Exodus xxiii. 24 they seem to be identified with "their gods." It is possible that the now famous "standing stones" at Gezer help us to see where the difference lay, for we find there a number of standing pillars which – while they do not themselves seem to have been objects of reverence – yet surround a stone, which shows us what was meant by the term "graven" stones, for it is evidently an object of obscene worship and shows traces of having been frequently anointed with oil. All these stones, then, are מַצֵּבוֹת or "pillars"; are they all of them equally the objects of reprobation? Solomon's famous "pillars," Jachin and Boaz, were probabli of this kind, though their Hebrew name is different, *viz.*, עַמּוּדִים, the word used for the "pillar of cloud," etc. It is clear that Jachin and Boaz were never objected to; we have only got to notice the way in which both the compiler of Kings and the Chronicler delight in dwelling upon their glories to see that they regarded them as not merely harmless but as worthy of all praise (3 Kings vii, 15–23, 41, and 2 Chron. iii. 15–17, iv. 12).

No. 9. Deuteronomy xvii. 20–22. The legislation touching **false prophets** and their distinction from true prophets is said to clearly denote a time when such questionings had already arisen.

We sometimes wonder whether modern critics ever reflect upon the necessary consequences of their statements. We wonder, for instance, whether Professor Driver when he penned the passage – of which the above is a *résumé* – noticed that if his statement was true it would necessarily follow that the story of Balaam in Numbers xxii–xxiv. would have to go by the board? Or did he notice that the words referred to in Deuteronomy xviii. 20–22 are inseparably connected with the great Messianic prophecy in verses 14–18? And this very Messianic passage seems to us to afford another proof of the early date of Deuteronomy, for it is the only Messianic passage in the book, and – like so many other points in the book – is exceedingly vague; the Israelites are not to be like other nations who depend on false gods, but their God will raise up for them a series of prophets who shall take Moses' place after his death; it is only as being the last of this long series and

as summing up in Himself their individual excellences that the Messias is at all referred to here, yet no one will deny that Jewish tradition always saw in these words a promise of the coming of the Messias; *cf.* S. John i. 21, 25 and 45, and Acts iii. 22. Is it credible that a work of the seventh century would be thus vague respecting the Messias? But the Deuteronomy of the Mosaic age would naturally be so, just as it is vague regarding the actual place of the central sanctuary, though very emphatic indeed about its necessity.

No. 11. "The use of the phrase 'beyond Jordan' בְּעֵבֶר הַיַּרְדֵּן for the country *East* of Jordan, in Deut. i. 1–5, iii. 8, iv, 41, 47, 48, 49 (as elsewhere in the Pentateuch comp. Nu. xxii, 1, xxxiv, 15), exactly as in Jos. ii, 10, vii. 7. ix. 10, etc., Jud. v. 17, x. 8, shows that the author was a resident in *Western* Palestine. It is indeed sometimes alleged that the expression had a fixed geographical sense (like *Gallia Transalpina*, etc.), and was used as a standing designation of the trans-Jordanic territory irrespectively of the actual position of the speaker or writer; but Deut. iii. 20–25, xi. 30, and Jos. v. 1, ix. 1, xii. 7 (where it is used of Western Palestine), show that this assumption is incorrect. If, now, its meaning was *not* thus fixed, its employment by a writer, whether in E. or W. Palestine, of the side *on which he himself stood*, is difficult to understand, unless the habit had arisen of viewing the regions on the two sides of Jordan as *contrasted with each other* (hence its use in Jos. v. 1, ix. 1, xii. 7, written presumably in Western Palestine), and this of itself implies residence in Palestine. It is of course conceivable that this was a habit of the Canaanites; but it can hardly be considered likely that the usage suggested by it passed from them to the Israelites, before the latter had set foot in the land, and experienced the conditions adapted to naturalise it among them. The use of the expression in Deut. (as in the Pentateuch generally) exactly as Jos. ii. 10, etc., creates a very strong presumption that the passages in question were all written under similar local conditions. In Deut, iii. 20–25 the (assumed) position of the speaker is naturally maintained. In v. 8, on the contrary, *in a phrase of common occurrence* (iv. 7, Jos. ii. 10, ix. 10) as in Jos. i. 14-15, the point of view of the *writer* unconsciously betrays itself. Num. xxxii. 19. מֵעֵבֶר לַיַּרְדֵּן וָהָלְאָה where the expression is

used of both sides of Jordan, though it has been referred to, has no bearing on the present question: the usage here falls into the category of passages in which, in accordance with the Hebrew idiom, the same expression repeated acquires a contrasted meaning in virtue of the juxtaposition (cf. 1. Samuel xiv. 4, xx. 31, xxii. 23-26). From the use of the term in Num. xxxii. 19, nothing can consequently be inferred as to its force, when used *absolutely*, as in Deut. i. 1-5, etc." (Driver, l. c. p. xliiii. v note).

We would ask in the first place whether it is credible that any writer "putting Moses on the stage" in the seventh century and for a polemical purpose, would have betrayed himself in such an egregious manner? Who will believe, for instance, that it is the "point of view of the writer which unconsciously betrays itself" in iii, 8, etc.? If this writer was capable of the prodigious literary feat involved in composing Deuteronomy in face of the difficulties we have detailed elsewhere, he was assuredly able to preserve himself from an unconscionable blunder such as it must be confessed this would have been.

Secondly, it seems to us that in this expression we are face to face with one of those Semitic idioms which baffle us in the present state of our knowledge. And this difficulty we have increased by rendering the Hebrew word עבר by 'beyond'. The root עבר of course means "to cross,', e. g., "Abraham the Hebrew" in Gen. xiv. 13, is rendered in LXX by τῷ περάτι. But an initial mistake is made when we regard the word עבר which we render 'beyond' as though it were itself a preposition; עבר is a noun and means radically "a region or country beyond something," generally a river, sometimes the sea. The word only becomes a preposition when it has a prefixed preposition and not always then; a few examples will show the force of these prepositional uses of the word: אֶל-עֵבֶר = 'to beyond', Deut. xxx. 13; מֵעֵבֶר = 'from beyond,' Job i. 19; עַל-עבר 'over against' Exod. xxv. 37. But the expression in question is the word עבר compounded with the preposition בְּ viz. בְּעֵבֶר which seems to denote rather 'rest in a place' than 'motion towards'; hence in these passages we come back to the notion of 'place' or 'region,' so that when Moses says in Deut. i. 1-5 "these are the words which Moses spoke to all Israel *beyond Jordan*," we should rather render this by "in the Jordan

district." And that we are justified in so doing is rendered evident by the fact that with the sole exception of Gen. l. 10-11, the expression בְּעֵבֶר הַיַּרְדֵּן is in the Pentateuch always carefully qualified so as to make it clear which side of Jordan is intended; thus, to take but a few examples—in Deut. iii. 8, "the kings of the Amorrhites that were beyond the Jordan בְּעֵבֶר הַיַּרְדֵּן" is at once defined by the added words: "from the valley of Arnon unto mount Hermon"; iv. 49, "beyond Jordan, *eastward*"; iv. 47, "beyond Jordan *towards the sunrising*"; and é converso xi. 30, "beyond Jordan *behind the way of the going down of the sun*;" passages which show that the term was used indifferently of either side of the river. And a further confirmation of this view is to be found in the fact that the word עֵבֶר is used to signify 'coasts' or 'regions' in I Kings v. 4, "He had peace on all sides round about him" lit. "from all his coasts round about"; so also in Num. xxxv. 14, it is used as the opposite of the land of Canaan and is thus co-extensive with a district as a whole—"You shall set three cities beyond Jordan, and three cities shall you set in the land of Canaan." And these considerations compel us to think that Professor Driver has not done justice to the passage in Num. xxxii. 19, which he says "has no bearing on the present question" since "the usage here falls into the category of passages in which, in accordance with Hebrew idiom, the same expression repeated acquires a contrasted meaning in virtue of the juxtaposition." Undoubtedly this is the idiomatic use but have we an example of in the passage under discussion? The actual words are: "We will not inherit with them on the other side Jordan and forward, מֵעֵבֶר לַיַּרְדֵּן וָהָלְאָה because our inheritance is fallen to us on this side Jordan eastward מעבר הירדן מזרחה". If the mere juxtaposition sufficed to differentiate the term, what need was there to differentiate it still further by the addition of the word 'eastward'? And it should be noted further that in v. 32, when there is no question of juxtaposition, the same expression is used by the Rubenites to designate the Eastern shore of Jordan, viz. "מֵעֵבֶר ל but it is clear that it is the Eastern shore which is meant from the context, hence it is not qualified in any way.

Again, the book of Josue was written on the West of Jordan, yet we find the same apparent confusion of terms in Josue as in

the Pentateuch, thus in i. 14, v. 1, ix. 1, xii. 7, the kings, to the West are described as 'beyond Jordan' בְּעֵבֶר הַיַּרְדֵּן but always with some determinative to make it clear which side is meant; the same is the case in xii, 1, and xiii, 8, of the inhabitants of the East, they are said to be 'beyond Jordan,' but a determinative is added to show to which side they are to be referred. And that we cannot say that this is simply due to long familiarity with the land seems to be clear from the careful expressions used in xxii. 10-11, to indicate the district *just around Jordan* and which cannot be described as a 'region' on one side or the other of that river; in both these verses we read of "the region about Jordan" עַל-הַיַּרְדֵּן. Last of all we must note that even the Chronicler uses just the same expression as that which has given offence in Deuteronomy, for in 1. Chron. xxvi, 30, we read: "the Hebronites . . . . had the oversight of Israel beyond Jordan מֵעֵבֶר הַיַּרְדֵּן westwards מַעֲרָבָה the terminology is ridiculous to our Western ears but it could not have been so to the Semites.

Furthermore, Professor Driver mentioned what we call the "Transalpine theory" only to reject it, and rightly so as he worded it, but it is possible that there is in it a grain of truth. Even on the view which we have advocated it still remains true that the Jordan in this expression is regarded as a kind of natural boundary and that this involves a certain familiarity with the country. But does it involve that familiarity which only habitual residence on the West could have given? And here, once more, we feel that the true answer can only be found when we accept Deuteronomy and the whole Pentateuch for what they set out to be, the moment we begin disintegrating these records, and thus whittling away the history which underlies them, we get into difficulties. If however, Deuteronomy is what it pretends to be then we have to take the forty years into account. Is it credible that these long years had not given the Israelites very great familiarity with the whole country? Are we to suppose that they were rigidly confined to the Desert? The Spies went and viewed the land, and though it is true that, except Josue and Caleb, they were all dead by the time the Israelites arrived at the plains of Moab, we may be sure that they talked about the land, and we have no reason for supposing that they were the only ones who

penetrated into it: Josue, xv., is sufficient refutation of such a view. But if they did know the land they could not have failed to grasp the significance of the Jordan. To them it was another Nile, and even more than the Nile, for it marked the goal of their journey; it was the dividing line between the "terrible" desert and the "land flowing with milk and honey." Was it not natural that long before they actually occupied the Promised Land they should talk of the regions on this and that side of the Jordan? And in insisting on their familiarity with the land we must not forget the witness of the Tel-el-Amarna tablets, nor that of the precious fragment known as "The Travels of a Mohar," for these documents have proved to us that the Egyptians had long had a most intimate acquaintance with Palestine.

CHAPTER VI.

The Discovery of the Book of the Law (4 Kings xxii–xxiii.). The Reform under Ezechias (4 Kings xviii.). Pseudepigraphical Literature.

So far we have examined the arguments intrinsic to the book of Deuteronomy which are said to prove its seventh century date. We must now examine the arguments drawn from the account furnished us in 4 Kings xxii–xxiii., of the "discovery" of the "Book of the Law," As we have already seen, critics unite in saying that whatever interpretation we put upon the word "found" in these chapters, the book itself had only recently been composed. Some would say that it was composed under Manasses, others under Josias himself. Those who hold the former view exonerate the finders of the book from any fraud, intentional or otherwise; those who think that it was actually written under Josias are divided in their view regarding the action of the finders of the book. The more advanced school declares that Helcias and his companions were guilty of a deliberate fraud, for they had purposely put the book there, and wished to foist it on the king as a genuine work of Moses, upon whom they thus wished to father the reformation which they had at heart. The more moderate school endeavours to put the action of Helcias and his companions in a more favourable light by declaring them innocent of any wish to perpetrate a fraud; these critics endeavour, as we have seen, to view the action of these well–meaning men in composing the book, as a perfectly natural thing for a Hebrew to do; we have already given some of the explanations which attempt to show how such an act may be considered not merely innocent but praiseworthy.

We will now take the text of 4 Kings xxii–xxiii., and analyse it for ourselves, in order to see how far critics are justified in their view.

8. And Helcias the high priest said to Saphan the scribe: I have found **the book of the law** in the house of the Lord: and Helcias gave the book to Saphan, and he read it.

9. And Saphan the scribe came to the king, and brought him word again concerning that which he had commanded, and said: Thy servants have gathered together the money that was found in the house of the Lord; and they have given it to be distributed to the workmen, by the overseers of the works of the temple of the Lord.

10. And Saphan the scribe told the king, saying: Helcias the priest hath delivered to me a book. And when Saphan had read it before the king.

11. And the king had heard the words of the law of the Lord, he rent his garments.

12. And he commanded Helcias the priest and Ahicam the son of Saphan, and Achobor the son of Micha, and Saphan the scribe, and Asaia the king's servant, saying:

13. Go and consult the Lord for me, and for the people, and for all Juda, concerning the words of this book which is found: for the great wrath of the Lord is kindled against us, because our fathers have not hearkened to the words of this book, to do all that is written for us.

14. So Helcias the priest, and Ahicam, and Achobor, and Saphan, and Asaia went to **Holda the prophetess** the wife of Sellum the son of Thecua, the son of Araas keeper of the wardrobe, who dwelt in Jerusalem in the Second: and they spoke to her.

15. And she said to them: Thus saith the Lord: the God of Israel; Tell the man that sent you to me:

16. Thus saith the Lord: Behold I will bring evils upon this place, and upon the inhabitants thereof, all the words of the book which the king of Juda hath read:

17. Because they have forsaken me, and have sacrificed to strange gods, provoking me by all the works of their hands: therefore my indignation shall be kindled against this place, and shall not be quenched.

18. But to the king of Juda, who sent you to consult the Lord, thus shall you say: Thus saith the Lord God of Israel: as for the words which thou hast heard,

19. Because thy heart hath been moved to fear, and thou hast humbled thyself before the Lord, hearing the words against this place, and the inhabitants thereof, to wit, that they should become **a desolation and a curse**: and thou hast rent thy garments, and wept before me, I also have heard thee, saith the Lord:

20. Therefore I will gather thee to thy fathers, and thou shalt be gathered to thy sepulchre in peace, that thy eyes may not see all the evils which I will bring upon this place.

Verse 8. How natural the whole proceeding is. Helcias finds the book which, be it noted, he recognises at once; he naturally is perturbed, and shows it to his companion, Saphan. The latter in his turn is disturbed, for he sees that this discovery is fraught with momentous consequences, and we cannot but notice the touch of human nature by which he, instead of telling the king about it at

once, prefaces his really important message by remarks about the result of their work in the temple.

Verse 10. Saphan reads the book (we need not suppose that he read it in its entirety) before the king. The effects of this reading are described in verses 11 and 19—the king is struck with terror.

Verse 13. He feels that it is a national calamity, for "our fathers have not hearkened to the words of this book;" the expression "our fathers" need denote no more than Manasses and Amon, just as Ezechias says (2 Chron. xxix. 6): "our fathers have trespassed . . . they have shut up the doors of the porch," which is precisely what we are told of Achaz: "he shut up the doors of the temple of God" (2 Chron. xxviii. 24; *cf.* also xxix. 19, where the vessels which Achaz had defiled are expecially mentioned). The importance of this will be evident when it is remembered that critics claim that these proceedings on the part of Josias mark an entirely new reformation.

Verse 14. The delegates go to Huldah, the prophetess, and here again we have an indication of the truthfulness of the narrative; why did they not go to Jeremias? He began to prophesy in the thirteenth year of Josias, and these events took place in the eighteenth year of that king. Is it an answer to say that he lived at Anathoth and so was out of reach? Have we any proof that he was at Anathoth at that time? But if the story is, as critics would have it, of a somewhat doubtful character, if it is the account of an attempt to foist Deuteronomy upon the Jewish world, and to give it regal and prophetic sanction, is it conceivable that its framers should not have claimed the patronage of the greatest of the then prophets for their work? Instead of that they go to an otherwise unknown prophetess, to a woman! We cannot but think that this is evidence for the truthfulness of the narrative.

Verse 18. We note the very slight variation in Chronicles: "even all the curses that are written in the book which they have read." Now no one questions but that it was at least Deuteronomy which was found; the only question is whether it may not have been the whole Pentateuch; but what is so startling here is that Huldah, according to Chronicles, actually quotes the very words of Deuteronomy xxix. 20, where, after all the curses have been enumerated

(chap. xxviii.) which should fall on those who did not keep the law, Moses says: "and all the curse that is written in this book shall lie upon him." Nor are we to say that this is a proof that the author of Kings did not know Deuteronomy while the author of Chronicles did so, for this is contradicted by the very account which we are engaged upon. Moreover, it seems clear that even in Kings Huldah quotes Deuteronomy, for when she says in verse 19, "that they should become a wonder and a curse," לְשַׁמָּה וְלִקְלָלָה; she is making use of a Deuteromic expression: שַׁמָּה indeed occurs twice in Genesis xxvii. 12, 13, but ten times in Deuteronomy, while קְלָלָה "a wonder," only occurs in Deuteronomy xxviii. 37. And it must be noticed that neither Kings nor Chronicles has any more express quotation than these two passages; yet if the critical position is the true one, *viz.*, that this chapter of Kings and Chronicles marks, not the rediscovery of Deuteronomy, but its first appearance, when in the interests of the priesthood it was foisted on the nation, is it credible that both the author of Kings and the Chronicler should have been so sparing in citations from it at a moment when we shonld have expected them to use its praseology?

We next read of the practical steps which the king took to secure the enforcement of the teaching contained in the book so marvellously discovered:—

xxiii, 2. And the king went up to the temple of the Lord, and all the men of Juda, and all the inhabitants of Jerusalem with him, the priests and the prophets, and all the people both little and great: and in the hearing of them all he read all the words of the **book of the covenant,** which was found in the house of the Lord.

3. And the king stood upon the step: and **made a covenant** with the Lord, to walk after the Lord, and to keep his commandments, and his testimonies and his ceremonies, with all their heart, and with all their soul, and to perform the words of this covenant, which were written in that book: and the people agreed to the covenant.

4. And the king commanded Helcias the high priest, and the priests of the second order, and the door-keepers, to cast out of the temple of the Lord all the vessels that had been made for Baal, and for the **Asherah,** and for all **the host of heaven**: and he burnt them without Jerusalem in the valley of Cedron, and he carried the ashes of them to Bethel.

5. And he destroyed **the idolatrous priests,** whom the kings of Juda had appointed to burn incense in the high places in the cities of Juda, and round about Jerusalem: them also that burnt incense to Baal, and to the sun, and to the moon, and to the twelve signs, and to all the host of heaven.

6. And he caused the **Asherah** to be carried out from the house of the Lord without Jerusalem to the valley of Cedron, and he burnt it there, and reduced it to dust, and cast the dust upon the graves of the common people.

7. He destroyed also the pavilions of the **effeminate,** which were in the house of the Lord, for which the women wove as it were little dwellings for the Asherah.

8. And he gathered together **all the priests** out of the cities of Juda: and he defiled the high places, where the priests burned incense, from Gabaa to Bersabee: and he broke down the altars of the gates that were in the entering in of the gate of Josue governor of the city, which was on the left hand of the gate of the city.

9. However the **priests of the high places** came not up to the altar of the Lord in Jerusalem: but only eat of the unleavened bread among their brethren.

10. And he defiled Topheth, which is in the valley of the son of Ennom: that no man should consecrate there his son or his daughter through fire to Moloch.

11. And he took away the **horses** which the kings of Juda had given to the sun, at the entering in of the temple of the Lord, near the chamber of Nathanmelech the eunuch, who was in Pharurim: and he burnt the chariots of the sun with fire.

12. And the altars that were upon the top of the upper chamber of Achaz, which the kings of Juda had made, and the altars which Manasses had made in the two courts of the temple of the Lord, the king broke down: and he ran from thence, and cast the ashes of them into the torrent Cedron.

13. The **high places** also that were at Jerusalem on the right side of the Mount of offence, which Solomon king of Israel had built to Astaroth the idol of the Sidonians, and to Chamos the scandal of Moab, and to Melchom the abomination of the children of Ammon, the king defiled.

14. And he broke in pieces the **obelisks,** and cut down the **Asherim**: and he filled their places with the bones of dead men.

Verse 2. "He read all the words of the book of the covenant which was found." Before we can arrive at any clear idea of what this book was we must examine the rest of the passage.

Verse 3. It is clearly implied that in the book which they read there was a **covenant** made.

Verses 4–14. The reformation, evidently in accord with what they had just read, now follows in detail. Josias burns the vessels used in the service of Baal, Asherah and the "host of heaven;" he destroys the ministers attached to these various shrines; he also breaks up the Asherah or obscene symbol; he abolishes the tents of the "devotees", קְדֵשִׁים, attached to these shrines; he brings together the priests who had deserted the temple for the High Places, and he pulls down the various altars which had been erected in Jerusalem; he puts a stop to the worship of Moloch, and he removes the horses and their chariots which had been

devoted to the worship of the sun and the heavenly bodies; and lastly, he breaks to pieces the altars erected by Achaz and Manasses, and he removes the High Places consecrated by Solomon to Astaroth, Chemosh and Milcom.

The question, then, is: what book of the Pentateuch could have produced this effect? In the first place, the references to a **covenant** are clear, and there are only two places in the Pentateuch which could bring the idea of making a covenant so forcibly to their minds, *viz* Leviticus xxvi. and Deuteronomy xxviii-xxxiii. The word itself, בְּרִית, it may be noted, occurs thirteen times in Exodus, five times in Numbers, ten times in Leviticus, of which six are to be found in chap. xxvi.; while it occurs twenty–seven times in Deuteronomy, thirteen of these being in chaps. xxviii–xxxiii. Now it seems to us that Leviticus xxvi. is excluded, for, not to mention the fact that out of the six references to the covenant, three refer to that made with Abraham, Isaac and Iacob, there is no reference in that chapter to any recent covenant. At the same time it is undeniable that the whole chapter as it stands reads like a commentary on 4 Kings xxii–xxiii. But the same remark is true to a far greater degree of Deuteronomy xxviii–xxxiii. Thirteen times is reference made to the covenant, and it is expressly said that it is one just made: "These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, *besides the covenant* which he made with them in Horeb" xxix. i, (xxviii. 69 in M. T.). And throughout these chapters there is constant reference to the penalties which they will incur who break it, "all the curses of the covenant that is written in this book of the law."

The destruction of the High Places which resulted from the reading of this book also accords well with Deuteronomy xii. xvi. and xviii. It is almost impossible to see in it a reference to Leviticus xvii. 6, 7, for it is clear that that passage refers solely to their desert life, though we see in the abuse which that law was calculated to meet, the germ of the "High Places" which afterwards proved so terrible a curse.

We deem it, then, certain that Josias read Deuteronomy xxviii-xxxi. to the people, but does it follow that this was all he had in his hand? It seems to us that the subsequent proceedings prove that he must have had a great deal more than Deuteronomy before

him. But before entering into details it will not be amiss to remark that Deuteronomy alone would have been an enigma, for, to take but one instance, what would Josias have understood by the words quoted above: "besides the covenant which he made with them in Horeb"? We shall give later on our view as to the construction of Deuteronomy; it will suffice to say here that it is impossible as well as uncritical to try and get rid of the force of these words by saying that they are an insertion by a later hand. They are of a piece with the whole style of Deuteronomy, and must be judged accordingly.

We now come to the account of the Passover which Josias caused to be celebrated:—

21. And he commanded all the people, saying: Keep the passover to the Lord your God, according as it is written in the book of this covenant.

22. Now there was no such a passover kept from the days of the judges, who judged Israel, nor in all the days of the kings of Israel, and of the kings of Juda,

23. As was this passover that was kept to the Lord in Jerusalem, in the eighteenth year of king Josias.

24. Moreover the diviners by spirits, and soothsayers, and the figures of idols, and the uncleannesses, and the abominations, that had been in the land of Juda and Jerusalem, Josias took away; that he might perform the words of the law, that were written in the book which Helcias the priest had found in the temple of the Lord.

25. There was no king before him like unto him, that returned to the Lord with all his heart, and with all his soul, and with all his strength, according to all the law of Moses: neither after him did there arise any like him.

Verse 21. "Keep the passover according as it is written in the book of this covenant." This clause certainly carries us back to Deuteronomy xvi. 1–9; it might be said that that passage furnished sufficient ritual detail to allow Josias to say, "as it is written in the book of this covenant," though we must confess that it is exceedingly doubtful whether sufficient details are really given there to enable any one to observe the Passover. In Kings, however, the purely historical details alone are given, and the author does not concern himself with the minute particulars which the Levitical author of Chronicles naturally gives. When, however, we turn to 2 Chronicles xxxv., we find ourselves in presence of a multitude of ritual details which Deuteronomy xvi. could certainly not have furnished, and we shall see later on reason for saying that it is not fair criticism to maintain that these details are merely

due to the chronicler's post-Exilian frame of mind, and that he simply gave here a multitude of particulars touching the Passover service which he imagined must have been conducted under Josias just as it was conducted after the Exile.

Verse 24. "Them that had the familiar spirits and the wizards . . . did Josias put away." The terms used here, *viz.*, "familiar spirits," אֹבוֹת, and "wizards" יִדְּעֹנִים, are four times coupled together in the Pentateuch, *viz.*, in Leviticus xix. 31, xx. 6, xx. 27, and in Deuteronomy xviii. 11, but it is clear that we cannot decide from the mere fact that these terms are to be found in these books that therefore the particular passages in question were expressly referred to by Josias. We have already touched incidentally on the question whether the book thus discovered was Deuteronomy only or whether we ought to see in it more than that book. We have noted that Deuteronomy alone would have been unintelligible, and that it is hard to believe that the Passover ritual as described in xvi. 1-9 would have been sufficient guide for the adequate observance of the ceremonies. And in this connection it will be as well to pass in review those familiar but little-regarded passages which seem to show that not only did Moses write a book, but that this book was well known, was in the hands of the official heads of the congregation, and, above all, was regularly added to by these same responsible persons.

1. We are told incidentally in 1 Samuel x. 25 that after the election of Saul "Samuel told the people the manner of the kingdom and wrote it in *the* (הַסֵּפֶר) book, and laid it up before the Lord." And it is to be noted that there is no parading this fact, it is stated with absolute simplicity and as a matter of course, and no comment whatever is made upon it. We naturally ask what this well-known book was, for it is clear that it is regarded as some well-known official record and that we have to seek its history in the past.

2. We go back now to the last years of Josue's life, and there we are told (Jos. xxiv. 26) that after he had made a final covenant with the people he "wrote these words in *the* (so R.V., but the article is wanting in the present pointed Hebrew text) book of the law of God." This carries us right back into Mosaic times, and the natural conclusion from the words, *viz.*, that Josue had charge of a volume left him by Moses, receives confirmation at

every step we take back through the history." In Josue xxiii. 6 "Be courageous to keep and to do all that is written in the book of the law of Moses;" in viii. 31, 32: "Josue built an altar unto the Lord, the God of Israel, in mount Ebal, as Moses the servant of the Lord commanded the children of Israel, as it is written in the book of the law of Moses;" in i. 8: "only be strong and very courageous to observe to do according to all the law which Moses my servant commanded thee. . . . This book of the law shall not depart out of thy mouth, but thou shalt meditate therein day and night, that thou mayest observe to do according to all that is written therein." The conclusion is surely inevitable: Josue possessed a written copy of the law of Moses; and this is in perfect conformity with Deuteronomy xxxi. 24–26:—

24. Therefore after Moses had wrote the words of this law in a volume, and finished it:

25. He commanded the Levites, who carried the ark of the covenant of the Lord, saying:

26. Take this book, and put it in the side of the ark of the covenant of the Lord your God: that it may be there for a testimony against thee.

But it is also clear that none of the passages quoted will prove that Josue or any one else had more than the book of Deuteronomy,[1] and many critics who feel that it is absurd to deny that these passages mean what they say so clearly, argue that we have here a proof that nothing more than Deuteronomy then existed, and that even it was probably not in its present shape but merely a *résumé* of the speeches delivered by Moses. But if we allow the probative force of the passages just quoted, we must also allow that of those other passages in the Pentateuch where Moses is with equal clearness described as inditing portions at least of the historical and legal parts of the Pentateuch. These passages are of course well known, but as their force is cumulative we will, at the risk of repetition, give them in full. In Numbers xxxiii. 2, then, we are told that "These are the journeys of the children

[1] M. Naville, the discoverer of Pithom, has recently upheld the view that the 'Book of the Law' thus found was none other than the 'Foundation-copy' put there by Solomon when he erected the temple. In a paper contributed by him but actually read by P. Scheil O. P. at a seance of the Academie des Inscriptions and Belles Lettres, M. Naville showed how thoroughly consonant this view was with Babylonian and Egyptian customs.

of Israel when they went forth out of the land of Egypt . . . and Moses wrote their goings out according to their journeys," the list of the halting-places then follows. Again, in Exodus xxiv. 4–7, after God had bestowed the covenant, we read: "And Moses wrote all the words of the Lord . . . and he took the book of the covenant and read in the audience of the people;" lastly, in xvii. 14, after the discomfiture of Amalec, "the Lord said to Moses, Write this for a memorial in a book and rehearse it in the ears of Josue."

Now it is commonly answered that these passages prove only that Moses wrote the particular things attributed to him, but that they do not prove—they may even seem to deny—that he wrote anything besides the passages especially attributed to him. We are not, however, concerned with this here, all that we wish to insist on is that we have in these passages clear proof of the existence of an official book, whatever its contents, which dated from the time of Moses and of which a certain portion at least was from his hand. The existence of this book long after his time is manifest from the passages quoted from Josue and Samuel. Moreover, it should not be forgotten that the portions expressly attributed to Moses are not merely the legal portions; we find the narrative of a war and the daily diary of their journeyings formally attributed to Moses. Hence we are not justified in saying, as so many critics do, that the witness of the Pentateuch and of subsequent history only demands that we should concede to Moses a nucleus of the later legal codes.

Nor, again, are we permitted to say that these references to Moses' share in the composition of the Pentateuch are later insertions made in the interests of the priesthood. For not only is adequate proof of this not forthcoming, not only is it destructive of the whole credibility of the narrative, but it is destructive of the very foundations of our knowledge of revealed truth. If we are to believe in Divine Revelation at all, we have to accept it precisely as it comes to us from its appointed custodians, *viz.*, the chosen people; but if the appointed guardians are to be considered falsifiers of tradition in their own interests, it is hard to see how we can trust them as exponents of the revelation committed to them. There are many critics who claim to believe in revelation, but it is hard for the mere layman to understand upon what such

men base their belief after they have done their best to destroy its foundations.

A book, then, existed long before the time of Josias; a book, too, which must have contained at least Mosaic history as well as ritual, and we have seen reason for thinking that the statements in the account of the discovery made in the time of Josias indicate that this book and not merely Deuteronomy was discovered in the temple. If we now compare the accounts of this discovery of the book, which are furnished by the authors of Kings and Chronicles respectively, we shall notice some striking facts which will, so we think, confirm this conclusion. Without giving the text *in extenso* we may tabulate the results of such a comparison somewhat as follows:—

4 Kings xxii., xxiii.	2 Chronicles xxxiv.
I. xxii. 1, 2. Summary of Josias' reign; his goodness.	I. xxxiv. 1, 2. The same, but explained by
II. xxii. 3–7. Repair of the temple in his **eighteenth** year.	II. xxxiv. 3–7. "For in the . . . **twelfth** year of his reign" he purified the land. (Just as in 4 Kings xxiii. 5–21.)
III. xxii. 8–20. Discovery of the book of the law. Huldah's message. (Josias' eighteenth year.)	III. xxxiv. 8–28. Discovery of the book of the law. Huldah's message. (Josias' eighteenth year.)
IV. xxiii. 1–3. The covenant.	IV. xxxiv. 29–32. The covenant.
V. xxiii. 5–21. The subsequent Reform.	V. xxxiv. 33. The subsequent Reform.

It is highly probable that the author of Chronicles had our books of Kings before him as he wrote; but, if so, he must have deliberately corrected the impression which we should have naturally gathered from the latter, *viz.*, that while the repairing of the temple was previous to the discovery of the "Law Book," the universal reformation was subsequent to that discovery. For it will be seen that the chronicler has been careful to insert the statement that the reformation took place in the king's *twelfth*

year, while the discovery of the book did not take place till his eighteenth year. But if the chronicler is right, and we have no proof that he is not so, then critics have erected a house of cards which comes tumbling about their ears, for the conclusion we should have gathered from the author of Kings, *viz.*, that the reformation was due to the discovery of the "Law Book," is no longer justified. And it must be noticed further that it is not question now of what we may term the chronicler's particular mentality, it is not question of his Levitical cast of mind nor of any national prejudices which might possibly lead him to exaggerate, but it is question of a definite statement of tact; it is question of, as we take it, a definitive correction of an impression which the author of Kings had certainly given. Of course if we choose to deny the inspiration of the chronicler we can cast his evidence to the winds, but if we hold to his inspired character we are bound to accept his facts and explain as we best can the seeming discrepancies between his narrative and that of the author of Kings. Nor is it impossible to explain what at first sight looks like a discrepancy, for it will be noticed, in the comparative table give above, that while Kings puts the reformation after the discovery of the book, and Chronicles puts it before and in his twelfth year, the latter does not deny that there was also a subsequent reformation; indeed he seems to imply that there was one, for he says: "And Josias took away all the abominations out of all the countries that pertained to the children of Israel, and made all that were found in Israel to serve even the Lord their God" (xxxiv. 33).

And whether we accept this view or not, all must allow that Josias began to repair the temple long before the discovery of the book; indeed it was the repairing of the temple that led to the discovery of the book. But we can hardly imagine any pious king repairing the temple without at the same time cleansing it from the abominations which had accumulated there under Manasses, as we are told in 4 Kings xxi. 1–8. But this repairing and concomitant cleansing of the temple meant the repudiation of the idolatrous practices which had defiled it; in other words, it meant Monotheism, and it meant a reform in favour of Monotheism which antedated the discovery of the book. What, then, becomes of the critical declaration that Josias' reign was marked by a reform

undertaken in the interests of a Monotheism taught indeed by the prophets, but only expressly formulated in Deuteronomy which had recently been written to push that creed and which was now conveniently "found" in the temple, and resulted in the reform?

The need, then, of a Monotheistic cult was the mainspring of Josias' reform; but this reforming spirit was not due solely to the discovery of Deuteronomy, still less to its having been recently written in the interests of Monotheism. To what, then, was it due?

To answer this question we must go a step further back in Israel's history, *viz.*, to the reformation carried out by Ezechias (726–698). This reformation is a factor with which we think critics have not reckoned sufficiently; it was drastic and, moreover, it was based on the Deuteronomic legislation, as we hope to be able to show.

In 4 Kings xviii. 4–6 we are told of this king that—

> 4. He destroyed the high places, and broke the obelisks in pieces, and cut down the Asherah, and broke the brazen serpent, which Moses had made: for till that time the children of Israel burnt incense to it: and he called its name Nohestan.
>
> 5. He trusted in the Lord the God of Israel: so that after him there was none like him among all the kings of Juda, nor any of them that were before him:
>
> 6. And he stuck to the Lord, and departed not from his steps, but kept his commandments, which the Lord commanded Moses.

There are several noteworthy points here. In the first place we note the reference to the brazen serpent, to which no allusion has been made since the day it was set up 700 years before. We marvel that it should have been preserved all this time, and we marvel still more that no mention should have been made of it up to now. But this is but an additional proof, if one were wanted, of the incomplete character of the history given us in Kings; it is only one of many indications that the history of that long period is not given us for its own sake but for the sake of the lessons it contains, it is a history essentially governed by the moral lesson the compiler wishes to convey. Again, we are told, and that, too, without comment, that this brazen serpent was made by Moses. But note the honesty, if we may so term it, of the writer; he does not hesitate to tell us that though made by

the great lawgiver himself, it had yet been abused. Is this the language of one to whom Moses was a species of fetich? Moreover, he clearly writes for those who are supposed to know all about the brazen serpent and who need no information on the point. Lastly, he refers to the law which God gave by Moses, and again he adds no comment. He takes for granted what critics living nearly 2700 years later cavil at and attempt to disprove. And, be it noted, he is here referring to an historical event as well as to the law itself. We point this out because critics are compelled by the evidence to allow that a nucleus of the present Pentateuch existed, a body of laws—probably of no great extent—and touching the ceremonial, etc.; but the brazen serpent has nothing to do with the ceremonial, and a sane criticism would surely say that the writer is referring to the history enshrined in Numbers, and that he knew that his readers were well acquainted with it.

And this reformation carried out by Ezechias was full and sweeping, far more so than we should gather perhaps from the passage quoted above. For fuller details we must go to 2 Chronicles xxix–xxxi., but we can only briefly summarise them here. The Levitical author dwells with delight upon the complete restoration of the temple-cult: Ezechias "opened the doors of the house of the Lord;" he re-established the "sin-offering," the "atonement," the "instruments of David," the "Psalms of David," the "thank-offerings," the exceptional Passover of the second month, the due order to be observed in eating the Passover, the proper sacrifices for the "new moons," the "sabbaths" and the "set feasts," and all this "as it is written in the law of the Lord." The tithes and the first-fruits, too, came in abundantly, and even the Levitical genealogies were thoroughly gone into.

Now dare we say, as the critics would have us do, that all this is very natural on the part of the chronicler, but that it is not, therefore, true to facts? It is very natural, they tell us, because the chronicler, wrote about 300 B.C., and by that time the Mosaic authorship of the Pentauteuch was taken for granted and the contrivance by which the Priestly Code had been foisted on the nation was a thing of the remote past. We cannot say, as Justi, an Assyriologist of note, boldly says: "Sacred and profane tradition had already undergone more than one transformation to

meet changes in religious views or in the political situation, but now, in order to confer some show of authority on the poor remnant of an executive that had survived the Captivity, the falsification of ancient tradition was undertaken on a more extensive scale than ever before. A fiction was set on foot to the effect that the Priestly Code had long ago been delivered to the people by Moses, either as a law to be immediately followed by them or as a rule for their future guidance under new conditions which Moses, in his capacity as prophet, must have been able to foresee. A wholesale perversion of history was the result; the whole body of tradition was revised on theocratic lines, with a view to prove that the Levitical priesthood and priestly office had existed prior to the time of the kings, and even during the wanderings in the desert; even the history of primitive times, which teems with mythical (polytheistic) associations, was distorted in the interests of the new code, and employed to strengthen the arguments in favour of its pre-existence. The forgers carried out their work without the slightest regard for historical accuracy, and did not hesitate to asperse the memory of men who had raised the nation to greatness, while they glorified tyrants and weaklings who had allowed themselves to be ruled by priests. The forgery was too clumsy to escape detection under the searching eye of the modern critic, yet sufficiently well done to have misled mankind for centuries, and to have induced them to accept, as Divine ordinances, inventions devised by Jewish Rabbis of the sixth and following centuries before Christ in order to strengthen their own influence. It was not until modern times that certain Protestant theologians, such as Ewald, Hupfeld, Vatke, De Wette, Bleek, Kuenen, Graf, Reuss, Nöldeke, Wellhausen and many others, discovered the true condition of affairs, to which only the narrow-minded, or those who are misled by class interests can shut their eyes." [1]

If this view of the case be the correct one it is clear that we can never use the chronicler, or any post-Exilian writer, as a guide again! But is it correct? Is it possible that so gigantic a fraud, for we can use no milder word, could have been perpetrated, or that if it had heen perpetrated, that it could ever have gone

[1] Quoted by Hommel, *Ancient Hebrew Tradition*, pp. 6, 7, Engl. Trans. 1897.

undetected? We think that no one who has not got a controversial axe to grind will fail to see that the supposition is intolerable, and yet it is on such suppositions as these that the modern critical theory has perforce to rest. Before such a statement can be launched with any approach to confidence it must be supported by abundant and overwhelming proof; can we say that the "proofs" brought forward by the modern school satisfy this demand?

Moreover, the whole passage above quoted from Chronicles seems to us to teem with refutations of the critical view. We will content ourselves with two instances;—

(*a*) It will be remembered that critics made great capital out of the expression in Deuteronomy, הכהנים הלוים, "the Levitical priests," as we saw reason to render it, but which they maintained meant "the Priests Levites," and which in their eyes constituted an identification of the Levites with priests. Now how strange it is, and how opposed to this theory, that the chronicler should write in consecutive verses: "The priests *and* the Levites (הכהנים והלוים)," and "the priest the Levites (הכהנים הלוים), arose and blessed the people" (2 Chron. xxx. 25-27). Will any one venture to say that here the Levites and priests are identified? If any one feel so inclined we can only say in the words of the child who sang in S. Augustine's ears, "Tolle, lege," for the whole account in question is opposed to it.

(*b*) And the second point brings us to the question of the Deuteronomic character of the reformation made by Ezechias. When the Rabshakeh taunted the people with their trust in God he said;—

4 Kgs. xviii. 22. But if you say to me: We trust in the Lord our God: is it not he, whose high places and altars Ezechias hath taken away: and hath commanded Juda and Jerusalem: You shall **worship before this altar in Jerusalem?** (4 Kings xviii. 22).

We note again how brief is the Biblical account, for this point had only been hinted at above; and yet if this account had been drawn up in the interests of Deuteronomy just written, is it probable that this, the central point of the reform, would have been merely alluded to in this passing manner? Again, we cannot fail to remark the perfect naturalness of the Rabshakeh's question. He, as any non-Israelite was bound to do, failed to realise the distinction between the God of Israel and the gods of

the "high places;" such delicacy of touch would surely denote the most subtle literary art on the part of a writer who composed these speeches as being what the speakers would probably have said!

On the other hand it is remarkable that the account in 2 Chronicles xxxii. 12 is not half so explicit on this point as we should have expected. Ezechias is represented as saying only: "Ye shall worship before one altar." Jerusalem is not mentioned. These may seem to be trifling details, but they are not without their significance, for they show that Chronicles is not, as critics would have us believe, composed merely in the interests of the priestly class, nor a merely post-Exilic composition of little or no historical value. A very cursory reading of Chronicles will show that it contains a number of facts not to be found in Kings; that, at the same time that it follows on the same lines as Kings, there is yet a curious independence in details which forces us to conclude (*a*) that the compiler wrote with our book of Kings before him; (*b*) that he had access to the same documents as were used by the compiler of Kings; and (*c*) that probably neither the chronicler nor the compiler of Kings exhausted their material, but took from it what suited their respective purposes. And that both authors had pre-Exilic sources at their disposal—sources, too, which were contemporary with the events recorded—is an almost necessary conclusion from a comparison between such passages as, for example, 3 Kings xi. 41 and 2 Chronicles ix. 29; 3 Kings xiv. 29 and 2 Chronicles xii. 15; 3 Kings xxii. 46, and 2 Chronicles xx. 34; 4 Kings xx. 20 and 2 Chronicles xxxii. 32, and xxvi. 22. We have thought it necessary to dwell on this point because it is the fashion to disparage the chronicler [1] as though hardly one of his statements was worthy of credence. One other point deserves emphasis, and that is that the standpoint of Kings and Chronicles is widely different; it may perhaps be conveniently stated by saying that while the author of 3-4 Kings looks at things from the Deuteronomic standpoint, the chronicler regards them from the point of view of the Priestly Code. And it is this truth that modern critics have seized upon, and, as, we think, have distorted. For the fact that the authors of Kings and Chronicles do

[1] See, *inter alia*, Wellhausen, *Prolegomena*, note on p. 43, Engl. tr.

respectively take these two standpoints will not prove, as it is made to do, that the codes which they each follow were composed just before they wrote. But the fact has its importance. For the Levitical tone of Chronicles is just what we should expect in a post-Exilic work, while the Deuteronomic tone of 3-4 Kings is also precisely what we should expect in a work which dated from the times of Ezechias and Josias, when the principles so strongly insisted on in Deuteronomy were being put into force, and when, too, Deuteronomy had just been rescued from the oblivion into which it had fallen. These different standpoints explain the different modes of handling the data which we observe in the two books, and show us how unwise it is to argue that because they do not agree in details they are therefore antagonistic to one another.

We may, then, accept the historical details furnished us by the chronicler, and we shall find those which he gives concerning Ezechias' reformation to be full of interest. According to him, Ezechias endeavoured to expiate the excesses of Achaz by a service of atonement and by restoring the Levitical temple-cult, and as we have seen, the technical terms for the sacrifices are used as though well known. But the most striking feature of this restoration is the celebration of the Passover. The services of atonement had taken up the first month, *viz.*, Abib, during which the Passover should have been celebrated, consequently Ezechias determines (2 Chron. xxx. 3, 13) to hold it in the second month.

3. For they could not keep it in its time: because there were not priests enough sanctified, and the people was not as yet gathered together to Jerusalem.

13. And much people were assembled to Jerusalem to celebrate the solemnity of the unleavened bread in the **second** month:

The details are full of interest. Why did he keep it in the *second* month, except because it was especially enacted (Num. ix. 6-14) that those who were for any just cause impeded from keeping it at the proper time were to observe it in the second month? And yet this is nowhere explained in Chronicles; it is taken for granted, though the reasonable excuse is carefully mentioned. Now does this look like the work of a writer of fiction? The point on which he wished to dwell was the observance of the Passover. Why, then, choose an observance which was confessedly quite irregular?

Nor did the irregularity stop here, for the writer acknowledges that even when they did observe it in the second month, "yet did they eat the passover otherwise than it is written" (ver. 18). Moreover, the writer tells us that "they had not kept it for a long time as it is written." Does this imply that they had not known how to keep it because the written law did not exist? Modern critics would have it so, but we are surely right in saying that this non-observance of the ritual was due to carelessness rather than to ignorance. And once more we must ask whether this record bears the impress of a writer who is endeavouring to make us believe that the Passover was a Mosaic institution and had been taught them in the desert. If he had wished to convey this impression he would surely not have chosen an instance of a Passover which was kept at an irregular time and was itself irregularly observed, nor would he have gone out of his way to point out that the Israelites had not for a long time kept it properly!

Another point also needs emphasising. If it be granted that the chronicler is correct in assigning these events to the time of Ezechias, *viz.*, to about 720 B.C., we should expect him to treat the priests and Levites as identical—on the supposition, of course, that the critical view is correct when it declares that it was only after the Exile that they were distinguished. If, on the other hand, we are to say, as critics insist, that this presentation of events has no objective value but existed only in the mind of the chronicler, and therefore only dates from the post-Exilic period, we shall expect to find him exalting the priests at the expense of the Levites. Now what are the facts? Three times over (2 Chron. xxix. 34, xxx. 3 and 25) the chronicler tells us facts about the priests which we can only regard as disparaging, not that he means to present them in an unfavourable light, but that he is telling us sober history and does not shirk unpleasant truths. He tells us that:—

"The priests were few, and were not enough to flay the holocausts; wherefore the Levites their brethren helped them, till the work was ended, and priests were sanctified, for the Levites were more upright in heart to sanctify themselves than the priests (2 Chron. xxix. 34);"

That the people could not keep the Passover

"in its time because there were not priests enough sanctified, and the people was not as yet gathered together to Jerusalem (2 Chron. xxx. 3);"

and in xxx. 24 he seems to state it as a remarkable fact that "a great number of the priests sanctified themselves."

And yet another fact serves to indicate that we have here an authentic history and not a creation of some post-Exilic dreamer —there were few priests but many Levites. But, as we have already remarked, the very reverse was the case after the Exile, for then the priests far exceeded the Levites in number, and it was the priests who were full of zeal, while the Levites seem to have been backward in coming forward to aid the good work.

After studying for ourselves these pessages, which tell of the reform carried out by Ezechias, we cannot but wonder what answer modern critics make to them. We turn to Kuenen and we find (*The Hexateuch,* p. 215) this illuminative note: "It is very remarkable that the author of Kings, who is himself acquainted with the Deuteronomic Code, and ascribes it to Moses, declares (2 Kings xviii. 6) that Hezechiah observed the commandments of Yahveh, which he had commanded Moses, but yet does not venture to represent his reformation as the carrying out of these commandments. *Cf.* 2 Kings xviii. 22, where the suppression of the bamoth is represented as an arbitrary measure of Hezechiah's own, and the writer himself does not protest against such a view of it." We have here the most perfect examples of the argument from silence which could well be found, while the ease with which the critic reads the minds and analyses the motives of the authors he is *studying* is a psychological marvel! But is it criticism?

But more than this, Kuenen undertakes to tell us what was precisely the relation between the reform under Ezechias and that under Josias. The connecting link is Deuteronomy. "Deuteronomy presupposes Hezechiah's partial reformation . . . *for the incomplete and partially defeated practice usually precedes the theory, and not vice versâ*; and it also presupposes the reaction under Manasseh which would serve to draw those who sympathised with Isaiah more closely together, and to direct their thoughts towards such changes in the religious condition of the country as would best answer to the purpose of Hezechiah and Isaiah, and make such apostasy as had taken place under Manasseh impossible. Deuteronomy is the programme of a drastic reformation of this kind which would guarantee its own permanence" (*ibid.*, p. 218. Italics ours).

It is amusing, too, to note the calm way in which Wellhausen cuts his way through the awkward testimony of these passages. He says: "King Hezechiah indeed is said to have made an attempt to abolish them (the high places), but the attempt, having passed away without leaving any trace, is of a doubtful nature." [1] Again, he says of 4 Kings xviii. 22, "Ye shall worship before this altar in Jerusalem:" "Little importance is to be attached to 2 Kings xviii. 22. The narrative of the Assyrian siege of Jerusalem is not a contemporary one, as appears generally from the entirely indefinite character of the statements about the sudden withdrawal of the Assyrians and its causes, and particularly from xix, 7, 36, 37. For in this passage the meaning certainly is that Sennacherib was assassinated soon after the unsuccessful expedition of 701, but in point of fact he actually reigned until 684 or 681. Thus the narrator writes not twenty years merely after the event, but so long after it as to make possible the elision of those twenty years: probably he is already under the influence of Deuteronomy. . . . But although highly authentic statements have been preserved to us in the epitome of the Book of Kings, they have all, nevertheless, been subjected not merely to the selection, but also to the revision of the Deuteronomic redactor, and it may very well be that the author thought himself justified in giving his subject a generalised treatment, according to which the cleansing (of the temple at Jerusalem in the first instance) from idols, urged by Isaiah and carried out by Hezechiah, was changed into an abolition of the Bamoth with their Macceboth and Asherim. It is well known how indifferent later writers are to distinctions of time and degree in the heresy of unlawful worship; they always go at once to the completed product. But in actual experience the reformation was doubtless accomplished step by step. At first we have in Hosea and Isaiah the polemic directed against molten and graven images, then in Jeremiah that against wood and stone, *i. e.*, against Macceboth and Asherim; the movement originated with the prophets, and the chief, or rather the only, weight is to be attached to their authentic testimony." [2]

Conscious or Unconscious Fraud.—As already stated more than once, Deuteronomy was, according to the critical view,

[1] *Prolegomena*, p. 25.
[2] *Prolegomena*, p. 47 note.

deliberately composed in the seventh century, and its so-called "discovery" was merely a euphemism for saying that, in the language of the excavator who works with the wily fellaheen, the ground had been "salted" beforehand and the "discovery" arranged. From the examination of the text which we have made it will, we hope, be evident that there are no satisfactory grounds for this assertion, but there still remains the question whether in the abstract such a proceeding was possible.

The question of **Pseudepigraphical Literature**, as it is called, is one of great delicacy. This term is used to cover those literary productions which are to be explained by saying that an author composed a work, and in order to secure its wide circulation and give more weight to its teaching, he published it under the name of some well-known author of similar views with himself; and this was done with no intention to deceive but solely in order to secure the reception of his teaching. The best-known example in Christian literature is perhaps the so-called Athanasian Creed. The question, then, in the abstract comes to this: Is it possible that the book of Deuteronomy was so published? Is it possible that an author in the seventh century B.C. was so impressed with the need of a ritual reform in the interests of Monotheism that he composed the book of Deuteronomy in the name of Moses? Is it possible, again, that we have in this book Moses placed upon the stage and exhibited as pleading his cause with the apostate Israel of the days of Josias?

We are not, be it remembered, discussing this question now from the point of view of the history as presented to us in 2 Kings xxii., xxiii.; that we have already done. Nor are we asking here whether Deuteronomy itself bears out such a view, that we shall do later on—but we are asking whether history in general and the analogy furnished us by well-known pseudepigraphic works will justify us in so explaning the book of Deuteronomy.

We have seen how Professor Driver regards this question: he looks upon Deuteronomy as an imaginative creation on a par with the Dialogues of Plato, the Epic of Dante, the tragedies of Shakespeare, Milton's *Paradise Lost*, and the Poem of Job. Whether Deuteronomy itself will justify the view that it is an imaginative creation will come to be considered later, but what arguments does Professor Driver bring forward to support his view?

He alleges the speeches in Josue, Kings and Chronicles, and also the Poem of Job. But even if we grant that some of the speeches are imaginative creations and that Job is a moral poem of wonderful artistic power, can we see in these examples a real analogy to what we are asked to believe about Deuteronomy? Do the speeches in Josue and Chronicles form an integral part of Israel's history? Is the historical framework into which Job is cast necessary to the correct understanding of the rest of the historical books? And again, Milton, Dante, Shakespeare and Plato have all used history, and their works have exerted an influence upon subsequent history, but these works are not integral portions of history in the sense that subsequent history is interwoven with and depends upon them; they form, indeed, landmarks in the history of the world, but they are not the world's history. History subsequent to the creation of each of those great works does not depend on the data furnished by those works and does not compel us to regard the facts therein given as the sober truths of history. Yet this is precisely what Deuteronomy does. Remove it, and the rest of Israel's history becomes at once unintelligible and has to be reconstructed. It is a cardinal principle with the critics that the reformation under Josias was solely due to Deuteronomy; that book, therefore, on their own showing, created history. Can the same be said of any of the great imaginative creations which Professor Driver singles out as parallels? And we must note that it is not the moral worth of the doctrines inculcated in Deuteronomy which brought about the reformation, it was the presumed historic truth of the situation and of the legislation sketched in the book which precisely, as Professor Driver allows, produced the effect. Plato and Dante, Shakespeare and Milton, of course created history, but this was because the moral lessons which they inculcated were seen to be of supreme worth, not because their works themselves were portions of the world's history.

Moreover Professor Driver's choice of analogous examples of pseudepigraphic literature is rather remarkable. If he had mentioned the books of Wisdom and Ecclesiastes as examples of pseudonymous literature we should not have been surprised, though we do not think that even they would have proved his point. The truth is that undoubted examples of pseudepigraphic

literature are very little in favour of the view that Deuteronomy falls under the same category. For there are three points to be noticed in all the examples of pseudepigraphic literature emanating from the Jewish people, *viz.*, the subject-matter, the time, and the place of composition. We will leave out of our calculations the book of Qoheleth or Ecclesiastes, as its date is so disputed, but otherwise the earliest pseudepigraphical book we know of is Wisdom, which can be safely placed between Ben Sira and Philo;[1] then will come probably the Enoch legend about 130 B.C., followed by the "Assumption of Moses" in the first Christian century, and by the "Apocalypse of Baruch" about 70 A.D.[2]

Now it will be noticed that all these are Greek or Alexandrian in origin, almost certainly not Palestinian. Again, with the somewhat doubtful exception of Wisdom, they are all essentially Messianic in their outlook; they do not, as Schurer has well said, treat so much of what Israel has to *do* as of what Israel is to *expect*. These books look forward, they do not legislate, they are rarely cast into an historical mould, or, if, like Wisdom, they do make use of historical details, it is in a purely oratorical fashion.

But Deuteronomy fulfils no one of these conditions if it is to be regarded as a pseudepigraphical work of the seventh century B. C. In the first place it antedates by at least five centuries the earliest known pseudepigraphical work we possess; in the next place, it hails from Palestine, which has never been proved to be the home of any such productions; and, lastly, as we have already had occasion to remark, it is essentially not Messianic in its outlook. But some will perhaps feel that Deuteronomy does at least use history in the oratorical way which we have ascribed to the book of Wisdom, and that just as this latter book adds certain interesting details to the history as given us in the Pentateuch, so also Deuteronomy adds details which may have no more historical value than those which we find only in Wisdom. We shall have to hold over the discussion of this point till we come to treat of the construction of Deuteronomy; suffice it to say here that we do not feel that such a view of the book is justified.

[1] *Cf.* Schurer, *Jewish People in Time of Christ,* Div. II, iii. p. 234 (Engl. Trans. of 2nd ed. Edinburgh, 1886).

[2] Schurer, *l. c.* pp. 66–78, 88.

One last point remains to be touched upon and that is the delicate one of inspiration. In brief: can a pseudepigraphical work be inspired? The answer will, we hope, be clear from what has been said above. In the case of such books as Wisdom and Ecclesiastes the fact that they are pseudonymous need not prevent their being inspired. For though historical details are given, particularly in Wisdom, yet the book is not cast in an historical framework, the history is not given for its own sake, and nothing depends on its truth or falsehood. But if the book is, like Deuteronomy, cast in an historical mould and presented in an historical dress, if this historical form is necessary to a right understanding of it, and if the author claims our allegiance to his teaching precisely because it is true history, then we fail to see how it is possible to reconcile such a claim and such a form— if false—with inspiration. For the writer is deliberately deceiving us. He presents us with a history in order to gain our allegiance, and all the while he knows that if we had the slightest suspicion that what he said was not historically true we would reject his book and its teaching.

We note that Professor Sanday adopts exactly the same argument with regard to S. John xxi. 24, "This is that disciple who giveth testimony of these things, and hath written these things and we know that his testimony is true." "A statement like this," says Dr. Sanday, "if not true, is deliberately false; and, if it is false, then I should say that the writer stamped himself as dishonest and insincere." [1]

[1] *Expos. Times*, January, 1909, p. 154.

CHAPTER VII.

The Style of Deuteronomy.

The Style of Deuteronomy. — It is evident that in Deuteronomy we have a very different style from that adopted in the rest of the Pentateuch *as a whole;* we add this qualification advisedly for reasons which will be seen shortly. Modern critics claim that this noticeably different style of the Deuteronomist marks him off from the author or authors of the other portions of the Pentateuch; they claim, moreover, to be able to discern this same "Deuteronomic style" in other portions of the Bible, notably in Jeremias and in many passages of Kings; they even go further and say that this same style is to be found in the earlier portions of the Pentateuch as well. On this latter point Professor Driver remarks: "The literary style of Deuteronomy is very marked and individual. In vocabulary, indeed, it presents comparatively few exceptional words; but particular words and phrases, consisting sometimes of entire clauses, recur with extraordinary frequency, giving a *distinctive colouring* to every part of the work. In its predominant features the style of Deuteronomy is strongly original, entirely unlike that of P. and very dissimilar to the normal style of JE. There are, however, certain sections of JE (in particular Genesis xxvi, 5; Exodus xiii. 3-16, xv. 26, xix. 3-6, parts of xx. 2-17, xxxiii, 20-33, xxxiv. 10-16), in which the author (or compiler) adopts a parenetic tone, and where his style displays what may be termed an approximation to the style of Deuteronomy; and these sections appear to have been the source from which the author of Deuteronomy adopted some of the expession currently used by him. Some of the expressions in Exodus xx. 2-17 are, however, so strikingly Deuteronomic as to suggest another explanation, *viz.*, that the text of the Decalogue was originally

briefer than it now is, and that it has been amplified with explanatory additions by an author dependent upon Deuteronomy and using the Deuteronomic style'' (Introduction to *Commentary* pp. lxxviii, lxyiii. and note).

The Professor then gives a list of some seventy words or phrases characteristic of Deuteronomy : the first sixteen of these may, he says, have been suggested to the author by the above-mentioned sections of **JE**. Among these expressions we may note " other gods, " vi. 14, etc.; " which Jehovah thy God is giving thee'' i. 20, etc.; " house of bondage, '' vi. 12, etc.; " a mighty hand and stretched-out arm," iv. 34, etc. But on further examination one or two curious details emerge which it will be worth our while to note: —

(*a*) The *hapax legomena* in Deuteronomy are not numerous and the argument from them would in any case be precarious ; we may, however, note the following facts: (1) There are only five expressions peculiar to Deuteronomy which occur more than twice. (2) The context in each of these cases is the same ; in other words, we cannot argue the existence of a distinct vocabulary from the use made of them in Deuteronomy. (3) In the case of טֶנֶא " a basket, '' xxvi. 2, 4, xxviii. 5, 17, it must be remarked that there is practically no other place in the Bible where such things as baskets are mentioned ; in Exodus ii. 3, 5, the child Moses is described as laid in an " ark " תֵּבָה, the same word as is used for the ark of Noe ; moreover, the root טנה occurs very frequently in the Semitic inscriptions (*cf.* Cooke, *North-Semitic Inscriptions*, Nos 42, 54, 56, etc.). (4) Though the word שְׁמִטָּה does not occur elsewhere in the pentateuch (*cf.* Deut. (xv. 1, 2, 9, xxxi. 10), yet the root verb שָׁמַט occurs in the very same sense in Exodus xxiii. 11. (5) The phrase שְׁגַר אלפיך, " the increase of thy kine, '' does not occur anywhere else (*cf.* Deut. vii. 13. xxviii. 4, 18, 51), but can we draw any argument from this fact in favour of a peculiar vocabulary in Deuteronomy when we find that the word שְׁגַר occurs in precisely the same context, though without the addition of אלפיך in Exodus xiii. 12?

(*b*) *The Characteristic Phrases in Deuteronomy.* — Seventy of these are given and it is of course implied that the force of the argument lies in their cumulative character rather than in individual instances; but when we come to analyse these instances we

are rather surprised to find that Professor Driver himself allows that the first sixteen may have been suggested by the parallel passages in JE, and that to this list we must add at least the cases mentioned in Nos. 23, 25, 27, 31, 36, 37, 53, 65. But when we might naturally object that these facts would seem to negative the idea that Deuteronomy had a peculiar vocabulary of its own, we are told that these parallel passages in JE are re-edited either by the Deuteronomist himself or in the spirit of the Deuteronomist. Again, an immense number of the instances alleged occur frequently in Kings, and we are, in consequence, told that these are proofs that Kings also was edited in the spirit of Deuteronomy; *cf.* Nos. 21, 23, 24, 28, 29, 31, 37, 41, 43, 48, 50, 51, 52, 53, 55, 63, 68, 70. Further, a large number of the instances brought forward seem on examination to be just such as we should expect to find in a series of fervent addresses on the necessity of fidelity to the one true God; thus, for example, No. 42, "that it may be well with thee"; No. 62, "forget not"; No. 45, the duty of fearing God; No. 40, "as at this day"; No. 35, "be courageous and strong"; No. 9, "which I am commanding thee this day"; No, 23, בחר "to choose", perhaps the most characteristic expression in Deuteronomy and undeniably most suitable to the circumstances under which it purports to have heen delivered.

Indeed Professor Driver seems to us to concede the whole case when he allows that it is precisely the hortatory portions of JE which provide the closest parallels to Deuteronomy. Is not this just what we should have expected on the traditional view that Moses the legislator uses one set of terms while Moses the earnest preacher uses another? The truth is that critics have worked themselves into a groove regarding the vocabularies which they think suitable to their different authors. If any one were to treat classical authors as Biblical critics treat the Biblical writers the results would be derided as grotesque! It has been frequently remarked—but it cannot be too often repeated—that no sane man would attempt to decide which portion of Erchmann-Chatrian's novels were to be attributed to Erchmann and which to Chatrian; and the same holds good of all instances of compound authorship. Critics are endeavouring to unravel a knot which they themselves have tied—it only exists in their own imagination.

There remain, however, a few instances in which a case seems

to be made out for a Deuteronomic vocabulary which is not to be explained by the hortatory character of the book. No. 44 in Professor Driver's list is given as follows: "לא תוכל (יוכל) thou (he) canst not, in the sense of mayest not: vii. 22, xii. 17, xvi. 8, xvii. 5, xxi. 16, xxii. 3, 10, 29. xxiv. 4. A very uncommon use; *cf.* Genesis xliii, 32." We should certainly gather from the above that Genesis xliii. 32 furnished the only instance in the Pentateuch of such a usage of the verb יכל; but before examining the instances it is worth while pointing out that when a man says he *cannot* do such and such a thing, the impediment may arise either from a physical or a moral impossibility, and it is not always easy to decide to which he refers in any given instance as we shall see shortly. It is clear, moreover, that the two significations pass over almost imperceptibly into one another and that where one existed the other must equally have done so. When, too, it is question of laying down positive laws it is evident that the signification "thou mayest not" will be the most frequent. For other instances in the Pentateuch where the sense of "may not" is required, we may refer to Genesis xliii. 32, given above, also to xliv. 22, "the lad cannot leave his father," and the reason is a moral one, "for if he should leave his father, his father would die;" again in xliv. 26, the two senses are juxtaposed: "We cannot go down . . . for we may not see the man's face except our youngest brother be with us;" *cf.* also xxxiv. 14, and Numbers ix. 6, "there were certain men who were unclean . . . so that they could not keep the Passover on that day"—because it was forbidden to do so. In No. 26, "גֹּדֶל 'greatness' (of God), iii. 24, v. 21, ix. 26, xi. 2. So elsewhere only xxxii. 3, Psal. cl 2." We presume Professor Driver must have had some reason for passing over Numbers xiv. 19, "Pardon the iniquity of this people according to the greatness (גֹּדֶל) of thy mercy," for the word גֹּדֶל is as much used of God in this passage as in those occurring in Deuteronomy, and it certainly weakens the case for a peculiarly Deuteronomic vocabulary. It is also noteworthy that the word occurs in Deuteronomy xxxii. 3, the canticle of which Professor Driver says (*Comment.* p. 345), "nothing in the poem points to Moses as the author:" Lastly, in No. 56, "פדה, 'to ransom' figurative of the deliverance from Egypt, vii. 8 (with 'from the house of bondage,' as in Mic. vi. 4). ix. 26, xiii. 6, xv. 15, xxi. 8, xxiv. 18. Not so elsewhere in the Hexa-

teuch. Exodus xv. 13 (the song of Moses) uses גאל (to reclaim).'' Now it is true that this figurative use of the word פדה does not occur in the earlier portions of the Pentateuch, but it seems to us that we have in this fact a very delicate and entirely undesigned coincidence, one, too, which we think goes far to corroborate the traditional view of Deuteronomy. When God brought Israel out of Egypt he claimed all the firstborn of men and cattle as his right, and Israel had to *redeem*, פדה, all their firstlings as a token that God had this right; this enactment was made in order to serve as a perpetual reminder to Israel that they had been marvellously delivered from the hand of the Pharaoh. The word used to signify this redemption of their firstlings was פדה (*cf.* Exodus xiii. 13, xxxiv. 20; Numbers xviii. 15–17); but as this custom of so redeeming their firstlings became habitual, by a very natural transition the term used to signify it came to be used to signify that one great redemptive act of which their redemption of their firstlings was but a symbol. And this natural transference of the term from the thing signifying to the thing signified seems to us to mark just that gap between the legislation of Sinai and Moab which we should expect; it marks a later stage, but it need not denote a stage later than that which they had reached when they came to the plains of Moab.

Archaic Forms in Deuteronomy.—Appeal is often made in the interests of the Mosaic date of the Pentateuch to certain archaic forms which only occur in it. We need only mention four here: (1) הוּא for both the masculine and feminine; (2) נער indifferently for "boy" or "girl;" (3) the curious spelling of the name "Jericho," *viz.* יְרֵחוֹ, and not יְרִיחֹה, as, for example, in 4 Kings ii. 4, etc.; (4) הָאֵל for האלה; it should be noted that אל occurs in 1 Chronicles xx. 8.

It would manifestly be absurd to insist that these instances prove the early date of the Pentateuch. We should require to know a great deal more about the way in which the manuscripts were preserved than we do at present before we could decide in this fashion. But at the same time it is clear that some answer must be forthcoming on this point. In the first place, it is worth noticing that there often exists a good deal of misapprehension regarding the archaic character of the Hebrew of the Mosaic age. We are apt to suppose that the difference between the age of

Moses and that of Ezechias would be something like that existing between the English of Chaucer and that of the present day. Yet nothing is further removed from the truth. The Hebrew of the Moabite Stone would need very few changes to allow it to pass muster as a page of the Bible, and this in despite of the fact that it is not, strictly speaking, the work of a Hebrew people. The same must be said of the evidence furnished by the Siloam inscription which almost certainly belongs to the days of Ezechias. The variations are mostly orthographical, and may be generally explained by the exigencies of space. After all, we ought not to expect the Semitic languages to change much, since the factors which are most responsible for the changes which modern language undergoes were absent. And when we turn to other languages than Hebrew we find the same stability. Mr. Fox Talbot remarked, as long ago as 1863, that the Babylonian language of the inscriptions of Hammurabi had altered very little by the time of Nebuchadnezzar II., who lived a thousand years later (so Mr. Talbot, but he should have said nearly two thousand years later). He estimates the difference as being about the same as that between the English of Queen Elizabeth's time and that of the present day. [1]

It was necessary to point this out because those who are unacquainted with the facts would have found it difficult to appreciate the value of the data afforded by the present state of the text. Now Professor Driver, *apropos* of the instances mentioned above, says: "There are no 'archaisms' in Deuteronomy, or in the Pentateuch generally, of a character to establish its antiquity." He proceeds to point out with regard to the form הוּא, that (1) the other Semitic languages, *e.g.*, Aramaic, Arabic, Assyrian, Ethiopic, have a form with yod for the feminine; (2) that in the inscriptions the pronoun is written defectively, *i.e.*, without either the yod or the vau; (3) that the LXX shows us that this *scriptio defectiva* was the rule in the earlier Hebrew MSS.; from all this he argues that we are unable to say that the form הוּא as a common gender which occurs in the Pentateuch alone is really an archaic form. His analysis of the remaining forms results in the same conclusion. [2]

[1] *Records of the Past*, vol. i. p. 6.
[2] Driver, *l.c.* pp. lxxxviii., lxxxix.

But it seems to us that this line of argument disregards the real point at issue, which is not whether the forms themselves are really archaic, but how it came to pass that these forms were in some instances preserved in the Pentateuch by the copyists and yet not in others. It will have been noticed that all these forms are unusual only in the fact that the quiescent letters are omitted, and moreover that the ordinary forms occur frequently in the Pentateuch side by side with the abnormal ones; נערה, it is true, occurs only once, *viz.*, Deuteronomy xxii. 19. Upon this Kuenen remarks: "The simple fact, then, is that whosoever for distinctness' sake inserted the 'quiescentes' at some later date, departed from the general rule in the Pentateuch. It is quite poss ble that the motive of this breach of uniformity rested on an idea that in former times הוא and נער were often used as feminines, and that the vowel after האל was often omitted. But what importance are we to attach to such an idea? and what are we to think of the few passages in which היא occurs and of the unique נערה? Does any one seriously suppose that a tradition existed, with respect to those divergent texts, prescribing the resolution of הא into היא, and the writing of נערה in those special passage?"[1] But the evidence at our disposal does not bear out the contention that the shorter forms were the rule even in the inscriptions. There are some forms in the Moabite Stone which would, we think, have been written defectively had it been the custom to do so; while in the Siloam inscription the full forms occur almost regularly. And secondly, the question which Kuenen asks with a tone of derision, and to which he postulates a negative reply, must we think be answered in the affirmative. For that there was some such tradition as that which he seems to think so unlikely appears to follow from the words of the Jerusalem Talmud (Taanith iv. 2): "Three Codices (of the Pentateuch) were in the court of the temple, Codex Meon, Codex Zaatute, and Codex, Hi . . . in one Codex the reading היא occurred nine times (*viz.*, with yod) and in the other two Codices it occurred eleven times; the reading of the two Codices was accepted and that of the one Codex was rejected."[2] It will be noticed, of course, that we have

[1] *The Hexateuch*, p. 322.

[2] Ginsburg, *Introduction to the Massoretico-Critical Edition of the Hebrew Bible*, p. 408.

here an example of scrupulous care with regard to one of the very readings in question. It is true, of course, that this testimony is late, but it shows us the principles which governed the scribes in deciding the text to be followed. It would seem a justifiable conclusion from these data that the forms peculiar to the Pentateuch are due to the care of the scribes in preserving what they knew to be archaic forms; and as these forms are peculiar to the Pentateuch we can only suppose that a traditional way of writing them had been handed down from a very early period. How far back that tradition will carry us we cannot decide; if we have made up our minds that the Pentateuch was not written until after the Exile we shall of course refer this tradition to a post-Exilic period. But are our premises sound when we maintain that the Pentateuch is a post-Exilic work?

CHAPTER VIII.

The Literary Affinities of Deuteronomy.

There, is, perhaps, no more delicate question in all criticism than that of the literary dependence of one author upon another, and the question becomes doubly difficult when we are dealing with documents written in a dead language and when the sole source of our knowledge of that language is the very book upon which we are engaged. There are, however, certain points which may serve as landmarks and which we are bound to keep steadily in view in discussing the complex question of literary affinities. In the first place, Hebrew is, as already said, a dead language. Secondly, the oldest MS. we possess is not of earlier date than 916 A.D. Thirdly, while S. Jerome's quotations show us that the text he used was substantially the same as the present Massoretic text, there are yet slight differences which put us on our guard. Fourthly, the Greek version, which was begun in the third century B.C., bears witness to the existence not merely of variants but of even different editions of the Sacred text. We have only got to examine 1 Samuel xvii. in the Hebrew and the Greek, or to compare the Greek edition of Jeremias with the existing Hebrew text, to see the truth of this. Fifthly, there can be no reasonable doubt that the custodians of the originals edited and re-edited the text; the Psalter is sufficient proof of it. Sixthly, a study of the text of the Prophets shows that, at least in some instances, the Prophets themselves were not responsible for the publication of their oracles. This, is, perhaps, most clearly to be seen in the book of Amos. Lastly, we must not forget that we are dealing with writings which saw the light at least two thousand years ago, even if we agree to refer them only to the post-Exilic period.

It is abundantly clear, then, that no one can afford to dogmatise about the literary affinities which may be presumed to subsist between the various writings which go to make up the Bible. Unfortunately, few "Critics" realise this, and we are deluged with assertions for which little proof is offered beyond the critical "ipse dixit."

The commonly accepted view regarding the literary affinities of Deuteronomy may be conveniently stated in the words of Professor Driver: "The influence of Deuteronomy upon subsequent writers is clear and indisputable. It is remarkable, now, that the early prophets, Amos, Hosea, and the undisputed portions of Isaiah, show no certain traces of this influence; Jeremiah exhibits marks of it on nearly every page; Ezechiel and Deuteronomy are also evidently influenced by it. If Deuteronomy were composed between Isaiah and Jeremiah, these facts would be exactly accounted for." (*Comment. on Deut.* Introd. p. xlvii).

It is stated, then, to be a *fact* that Amos and Hosea betray no certain traces of knowledge of Deuteronomy. But is this a fact? We fancy we shall be able to convince all who care to follow the argument that the very opposite is the case, and that these prophets show not only a very full knowledge of Deuteronomy, but just precisely that knowledge which we should expect them to possess on the supposition that the Bible is correct in referring them to the eighth century B.C. and Deuteronomy to the Mosaic age. And here again, as cross-references are always somewhat puzzling and at times misleading, we will put in parallel columns a series of passage from Amos and Osee on the one hand, and Deuteronomy on the other. But first of all we will draw up a list of parallels between **Amos and the legal portion** of the Pentateuch, *viz.*, the so-called "Priestly Code":—

I. Amos ii. 4.	Leviticus xxvi. 15, 43-45.
I will not turn away the punishment thereof, because they have rejected (מָאֲסָם) the **law** of the Lord, and have not kept his **statutes** (חֻקָּיו).	If ye shall reject my **statutes** (וְאִם-בְּחֻקֹּתַי תִּמְאָסוּ), and if your soul abhor my judgments... I will set my face against thee... because they rejected (מָאָסוּ) my judgments, and their soul abhorred my **statutes** (חֻקֹּתַי).

II. Amos ii. 8.

And they lay themselves down beside every altar on clothes taken in **pledge** (חֲבָלִים).

Exodus xxii. 25.

If thou at all take thy neighbour's garment to **pledge** (חָבֹל תַּחְבֹּל) thou shalt restore it to him by that the sun goeth down (*cf.* Deut. xxiv. 6, 17).

III. Amos ii. 11.

And I raised up of your sons for prophets, and of your young men for **Nazirites**.

We need only refer to Numbers vi. 1–21, where alone is given the legislation touching the **Nazirites**.

IV. Amos v. 21-23.

I hate, I reject (מָאַסְתִּי) your **feasts** (חַגֵּיכֶם), and I will take no delight in your **solemn assemblies** (וְלֹא אָרִיחַ בְּעַצְּרֹתֵיכֶם). Yea, though ye offer me your **burnt offerings** (עוֹלוֹת) and **meal offerings**. (וּמִנְחֹתֵיכֶם) I will not accept them, neither will I regard the **peace offerings** (וְשֶׁלֶם) of your **fat beasts** (מְרִיאֵיכֶם).

The terms are all of them, with the exception of מְרִיאִים, rendered "fat beasts," already familiar to us from the Priestly Code which critics ask us to refer to a time subsequent to Ezechiel. We are, of course, well aware that the fact that these technical sacrificial terms occur in Amos is no proof that the Priestly Code as we now have it existed in his time, but it must be remembered that the argument is a cumulative one, we must not judge its probative force from the comparative weakness of one isolated link. But in the passage under discussion, we would call especial attention to the term עֲצֶרֶת, "**solemn assembly**;" it only occurs in six other places in the Bible, *viz.*, Leviticus xxiii. 36, Numbers xxix. 35, Deuteronomy xvi. 8, Nehemiah viii. 18, 2 Chronicles vii. 9, and Jeremiah ix. 1. The last-mentioned passage is the only one where it has not definite reference to one of the three great feasts which are legislated for in the Pentateuch.

V. Amos viii. 4, 5.

Hear this, you that crush the poor, and make the needy of the land to fail, Saying: when will the **month** (הַחֹדֶשׁ) be over, and we shall sell our wares: and the **sabbath**, and we shall open the corn: that we may lessen

the **measure** (אֵיפָה), and increase the **shekel** (שֶׁקֶל), and may convey in deceitful **balances** (מאזנים).

The prophet declaims against their lip-service; they keep the Sabbath but yearn for it to pass that they may return to their evil ways, *viz.*, to their habitual breaches of the law, and this law he mentions in detail. He gives what we may call a *résumé* of the points especially insisted on in the Pentateuch, and all the terms are familiar to us. We need only refer to such passages as Deuteronomy xxv. 13–15: "Thou shalt not have divers weights in thy bag, a great and a small. Thou shalt not have in thy house divers measures, a great and a small. A perfect and a just weight, a perfect and a just measure (אֵיפָה) shalt thou have," and Leviticus xix. 35, 36: "Ye shall do no unrighteousness in judgment, in meteyard, in weight (בַּמִּשְׁקָל) or in measure. Just balances (מאזני), just weights, a just ephah (אֵיפָה), and a just hin."

VI. Amos ix. 13.	Lev. xxvi. 4-5.
Behold the days come, saith the Lord, when the ploughman shall overtake the reaper, and the treader of grapes him that soweth seed: and the mountains shall drop sweetness, and every hill shall be tilled.	And the ground shall bring forth its increase, and the trees shall be filled with fruit. The threshing of your harvest shall reach unto the vintage, and the vintage shall reach unto the sowing time: and you shall eat your bread to the full, and dwell in your land without fear.

This last parallel becomes all the more striking when we notice that it is probably an immediate reminiscence of Joel iii, 18; both prophets looked forward to a fulfilment of the promises of Leviticus.

We must repeat again that the true force of these parallels lies in their cumulative evidence. They at least make it clear that either these prophets knew the Pentateuch or that the framers of the latter were acquainted with the writings of these prophets. Tradition claims priority for the Pentateuch, and declares that the prophets are but echoing the "Law" which they knew so well. The Modern critical school rejects the traditional view and maintains that these passages in the prophets are but echoes of an unwritten law which was traditionally referred to Moses, and which may in part have been due to him, but which certainly did

not exist in the eighth century in the form in which we now have it. But it is evident that none but the most convincing arguments can allow us to desert the traditional view; it is in possession and can hold its own.

So far we have only brought into juxtaposition the parallels between Amos and the legal portions of the Pentateuch; we may now adduce the parallels subsisting between **Amos and Deuteronomy.**

I. Amos ii. 9.

Yet I cast out the **Amorrhite** before their face: whose height was like the height of cedars, and who was strong as an oak: and I destroyed his fruit from above, and his roots beneath.

Deut. i. 27, 28.

You murmured in your tents, and said: The Lord hateth us, and therefore he hath brought us out of the land of Egypt, that he might deliver us into the hand of the **Amorrhite,** and destroy us.

Whither shall we go up? the messengers have terrified our hearts, saying: The multitude is very great, and taller than we: the cities are great, and walled up to the sky, we have seen the sons of the Enacims there.

II. Amos ii. 10.

It is I that brought you up out of the land of Egypt, and I led you **forty years through the wilderness** that you might possess the land of the Amorrhite.

Deut. viii. 2; *cf.* i. 31.

And thou shalt remember all the way through which the Lord thy God hath brought thee **for forty years through the desert,** to afflict thee and to prove thee.

III. Amos iv. 9.

I struck you with a **burning wind,** and with **mildew** (הִכֵּיתִי אֶתְכֶם בַּשְׁדָפוֹן וּבִירָקוֹן), the palmer-worm hath eaten up your many gardens, and your vineyards: your olive-groves, and fig-groves: yet you returned not to me, saith the Lord.

Deut. xxviii. 22.

May the Lord **strike** (יַכֶּכָּה) thee with miserable want, with the fever and with cold, with burning and with heat, and with **burning wind** and with **mildew** (בַּשְׁדָפוֹן וּבִירָקוֹן), and pursue thee till thou perish.

These two terms שַׁדָפוֹן and יֵרָקוֹן only occur in iii. Kings viii. 37 and in the parallel passage 2 Chronicles vi. 28, and the conservative critic will have little difficulty in believing that Solomon derived many of the sentiments of his prayer from Deuteronomy.

IV. Amos iv. 4, 5.

Come ye to Bethel, and do wickedly: to Galgal, and multiply transgressions: and bring in the morning your victims. your **tithes** in three days.

And offer a sacrifice of praise with leaven: and call free offerings, and proclaim it: for so you would do, O children of Israel, saith the Lord God.

Deut. xxvi. 12; *cf.* xiv. 28.

When thou hast made an end of tithing all thy fruits, in the third year of **tithes** thou shalt give it to the Levite and to the stranger, and to the fatherless, and to the widow, that they may eat within thy gates, and be filled:

The LXX omits the words "and offer a sacrifice of praise with leaven, and call free offerings;" and it must be acknowledged that the whole passage is difficult. The terminology, however, is that of the legal portion of the Pentateuch, and it is possible that in the words "your tithes in three days" the prophet is alluding to the triennial tithe; we are reminded of the New Testament Pharisees who tithed mint and cummin.

V. Amos iv. 11.

I destroyed some of you, as God destroyed **Sodom and Gomorrha**, and you were as a firebrand plucked out of the burning; yet you returned not to me, saith the Lord.

Deut. xxix. 23.

Burning it with brimstone, and the heat of salt, so that it cannot be sown any more, nor any green thing grow therein, after the example of the destruction of **Sodom and Gomorrha**, Adama and Seboim, which the Lord destroyed in his wrath and indignation.

VI. Amos v. 25, 26.

Did you offer victims and sacrifices to me in the desert for forty years, O house of Israel?

But you carried a tabernacle for your Moloch, and the image of your idols, the star of your God, which you made to yourselves.

Deut. xxxii. 17; *cf.* Lev. xvii. 7.

They sacrificed to devils and not to God, to gods whom they knew not: that were newly come up, whom their fathers worshipped not.

This famous passage in Amos has, we feel, been much abused, and difficulties have been raised regarding it which are really unwarrantable. The parallel in Deuteronomy, taken in conjunction with that in Leviticus, shows that the prophet is referring, as to a well-known fact, to the apostasies of the Hebrews in the desert.

VII. Amos vi. 3, 12.

You that are separated unto the evil day: and that approach to the throne of iniquity.

Deut. xxix. 17, 18.

You have seen their abominations and filth, that is to say, their idols, wood and stone, silver and gold, which they worshipped.

You have turned judgment into **gall** (לְרֹאשׁ), and the fruit of justice into **wormwood** (לְלַעֲנָה).	Lest perhaps there should be among you a man or a woman, a family or a tribe whose heart is turned away this day from the Lord our God, to go and serve the gods of those nations: and there should be among you a root bringing forth **gall and bitterness** (רֹאשׁ וְלַעֲנָה).

Now these parallels might be multiplied, but we feel that enough have been given to justify our claim that Amos can be shown to be well acquainted with Deuteronomy. For these passages are not quotations; if they had been we might have been suspicious of them. They are rather reminiscences of something of which the author had such a familiar knowledge that its language came spontaneously to his lips. Yet if this be the case what a revelation it affords us of the state of Palestine from a literary point of view at that time! Here is Amos, a shepherd and no prophet or priest, by his own confession, yet he is steeped in the Pentateuch; he has a wide knowledge of the nations that surround Israel; his diction may have a certain ruggedness, but it is full of the highest poetic feeling, and more "household words" are due to his prophecy than we perhaps realise. How can this be accounted for on the standpoint of the "Higher Critics"? Yet "Tel-el-Amarna" has shown us that it is just what we ought to expect.

The Relation between Osee and Deuteronomy.—This prophet, even more than Amos, is claimed as the true source of the Deuteronomist's inspiration. Thus Professor Driver says: "In a special degree the author of Deuteronomy is the spiritual heir of Hosea. Not only does he join with him in the emphatic repudiation of nature-worship, and in acknowledging Jehovah as the true Giver of nature's bounty (Hos. ii. 10, xiii. 1-6; Deut. viii. 7 ff,, xi. 13 ff., xxvi. 10), he agrees with him also in the prominence which he assigns to the emotional side of religion. With Hosea, love, affection, sympathy, are the immediate, and most natural, fruits of the religious temper," etc.

To discuss adequately the relation in which Osee stands to Deuteronomy would require a volume, but we may, as before, put in parallel columns some of the principal passages which show how deeply Osee is steeped in the Pentateuch and in the history

of the early kings. We shall thus see how, according to our thinking, it is impossible to suppose that Deuteronomy is indebted to Osee and not Osee to Deuteronomy.

I. Osee i. 4, 5.

And the Lord said to him: Call his name Jezreel: for yet a little while, and I will visit the blood of Jezreel upon **the house of Jehu,** and I will cause to cease the kingdom of the house of Israel.

And in that day I will break in pieces the bow of Israel in the valley of Jezreel.

The reference is, of course, to Jehu and the reformation he began in the valley of Jezreel (4 Kings ix.). Jehu rooted out the worship of Baal, but did not destroy the "high places" (4 Kings x. 29), and a similar reformation is called for now in Ephraim because of that corrupt worship.

II. Osee ii. 11.

And I will cause all her mirth to cease, her **solemnities,** her **new-moons,** her **sabbaths,** and all her **festival times.**

We recognise all these terms; they are familiar to us from the Pentateuch. But, according to "critical principles," we are only to see in them reminiscences of a vague ritual law or of the somewhat misty **JE**; yet it is hardly possible to understand how the portions of the Pentateuch attributed to **JE** by critics can be regarded as the source of such ritual reminiscences as we have here; for their source we instinctively turn to Numbers xxviii–xxix., where we have all the lsgislation for the "solemnities, new-moons, sabbaths and festival times." But, unfortunately, critics have assigned that portion of the Pentateuch to **P**, and they have relegated **P** to post-Exilic times!

III. Osee ii. 15.

And I will give her . . . the **valley of Achor** for an opening of hope.

A reference to the death of Achan in the vale of Achor (Jos. vii. 10–26), and an argument *e contrario*. Isaias lxv. 10 has a similar reference; it was evidently a commonplace of the prophets. It will not *prove* that it is to the present book of Josue that the prophet refers, but we have no grounds for denying such a conclusion.

IV. Osee iii. 4.

For the children of Israel shall abide many days without king and without prince, and without sacrifice, and without **pillar**, and without **ephod** or **teraphim**; and after this the children of Israel shall return, and shall seek the Lord their God, and David their king.

We shall return to this passage later on, but we may note in passing that the terms used are, with the exception of "sacrifice" (זבח), all referable to forbidden worship.

V. Osee iv. 4-6.

For thy people are as they that contradict the priests. . . .

My people have been silent, because they had no knowledge: because thou hast rejected knowledge, I will reject thee, thou shalt not **do the office of priesthood** to me: as thou hast forgotten the law of thy God, I also will forget thy children.

The **teaching office** of the priests is supposed, as throughout Leviticus (*cf.* especially xv. 31; Deut. xvii. 22; and *cf.* 2 Chronicles xvii. 7-9, where we are told how Josaphat sent the Levites into all the country to teach). We also note the expression, "to do the office of priest" (לְכַהֵן); it only occurs in Exodus xxix. 1, 44, xxx. 30, xxxi. 10, xxxv. 19, xxxix. 41; Leviticus vii. 35, xvi. 32; and Numbers iii. 3 in the Pentateuch; and all these passages are referred by critics to **P**, or, according to their system of dating, to a time at least 300 years posterior to Osee!

VI. Osee iv. 8.

They eat the sins (חַטַּאת) of my people, and set their heart on their iniquities.

This is an undoubted reference to the **sin-offerings** of the people. According to Leviticus v. 13, and especially x. 17, such sacrifices were the due of the priests, and that they found in them a temptation is evidenced by the conduct of the sons of Eli (1 Sam. ii. 12 ff.). Both this reference in Osee and that in 2 Samuel indicate the existence of a well-known law by which the priests profited; what possible grounds have we for saying that it was not the law we find in Leviticus and even in the form in which we now have it?

VII. Osee v. 10.

The princes of Judah are become as they that remove the **boundary** (מַסִּיגֵי גְבוּל).

Deut. xix. 14.

Thou shalt not remove thy neighbour's **landmark** (לֹא תַסִּיג גְּבוּל).

Deut. xxvii. 17. Cursed be he that removeth his neighbour's **landmarks!** (אָרוּר מַסִּיג גְּבוּל).

VIII. Osee vi. 6.

For I desired mercy and not sacrifice, and the knowledge of God more than holocausts.

Sacrifices were evidently the custom, but the principle which should govern them and which alone could render them efficacious had been lost sight of, just as Saul had lost sight of it long ago and had been therefore rebuked by Samuel in words which are here echoed by Osee: "For obedience is better than sacrifices, and to hearken rather than to offer the fat of rams" (1 Sam. xv. 22). It is the same principle which underlies the celebrated passage in Amos v. 25, a passage which, as remarked already, has been grossly misused by critics who endeavour to twist it to their own purposes.

IX. Osee vi. 9.

As troops of robbers wait for a man, so the company of priests murder in the way towards Shechem.

Why should the priests murder in the way towards Shechem? For the critical school this statement can have no historical meaning, but if we take the previous history as true, if we agree to interpret the prophet in the light of that history and not to attempt to read the history by the light afforded in the pages of the later prophet, we find a ready explanation of the words of Osee in the history of the reign of Jeroboam. In 3 Kings xii. 27-33 we are told how he came to establish the golden calf: it was to obviate the difficulties which would arise if the people of the northern tribes were in the habit of going up to Jerusalem to sacrifice at the appointed times. He therefore established a priesthood of his own and sacrificial times of his own. But, as we gather from Osee, these devices did not entirely succeed and the priests of his sanctuaries resorted to violent means in order to

prevent the dues which they wished to secure for themselves from going to Jerusalem instead of into their own pockets. But all these historical allusions become unintelligible on the critical supposition that the law did not exist in the time of Osee, for these allusions are not merely vague references to some system of law which possibly emanated in its original form from Moses; they cannot be explained on the supposition of a shadowy **JE** which—even on the widest view of it allowed by critics—contained very little, if any, ritual legislation. And, be it noted, critics are compelled to allow the existence of this supposed **JE**, because the evidence for some pre-Deuteronomic "law" resists even their drastic methods of manipulating texts and references which are "inconvenient." But is not the very same evidence which compels them to give a hearing to the **JE** they have invented also sufficient to compel those who are free from critical presuppositions to allow the existence of a pre-Deuteronomic Priestly Code? What, for example, can critics make of such a passage as that in Osee viii. 12: "I wrote for him the ten thousand things of my law, but they are counted as a strange thing"? Are these ten thousand precepts the prophet's way of talking of the "nucleus of the Priestly Code" which critics allow existed then?

We may pass over such passages as viii. 1, and viii. 13, which refer to the covenant, the law and the sacrifices, but a special group of passages calls for examination, *viz.*, iii. 4, 5, v. 3, 4, viii. 4, 11, x. 5.

X. Osee iii. 4, 5.

For the children of Israel shall sit many days without king, and without prince, and without sacrifice, and without pillar (מצבה) and without ephod, and without teraphim.

And after this the children of Israel shall return, and shall seek the Lord their God, and **David their king**: and they shall fear the Lord, and his goodness in the last days.

As we remarked above, the terms used in verse 4 for the rites of which Israel were to be deprived, are all, with the exception of "sacrifice" (זבח), those which are applied elsewhere to forbidden rites; we cannot believe that any prophet would speak of the ephod, the teraphim, and least of all of the "mazzebah" or "pillar," as though they were adjuncts of the true worship. And the next verse bears out this view, for the prophet at once speaks

of the consequence of this deprivation as being the return of Israel to the Lord and to **the Davidic king**. Thus, at the outset, what the prophet condemns is not so much the idolatry of Ephraim as their **schismatical** state; he speaks strongly enough, it is true, about their gross idolatry, but that is with him a secondary point. He regards it as the outcome of the schism, and he looks upon a return to the Davidic king as synonymous with return to the true worship of the true God.

XI. Osee v. 3, 4.

I know Ephraim, and Israel is not hid from me: for now Ephraim hath committed fornication, Israel is defiled.

They will not set their thoughts to return to their God: for the spirit of fornication is in the midst of them, and they have not known the Lord.

Here is the same thought again, though in other words:—

XII. Osee viii. 4, 11.

They have reigned but not by me: they have been princes, and I knew not: of their silver, and their gold they have made **idols** to themselves, that they might perish.

Because Ephraim hath made **many altars** to sin: altars are become to him unto sin.

Once more the same idea: and the prophet proceeds to denounce their idolatry, the **golden calf**, which was the symbol of their schism, even more than of their heresy:—

Thy **calf**, O Samaria, is cast off, my wrath is kindled against them. How long will they be incapable of being cleansed?

For itself also is the invention of Israel: a workman made it, and it is no god: for the **calf** of Samaria shall be turned to spiders' webs (viii. 5, 6).

The inhabitants of Samaria have worshipped the **kine** of Bethaven: for the people thereof have mourned over it, and the wardens of its temple that rejoiced over it in its glory, because it is departed from it.

For itself also is carried into Assyria, a present to the avenging king: shame shall fall upon Ephraim, and Israel shall be confounded in his own will (x. 5, 6).

We have grouped together these passages touching the sin of schism because we think that they will help us to a right understanding of the remaining passages on which critics rely when maintaining that in Osee we are to seek the true source of the Deuteronomist's inspiration. We refer, of course, to the prophet's condemnations of the "**many altars**" which had proved the fatal stumbling-block to Ephraim, *viz.* iv. 13, viii, 11, x, 2, xii. 11.

XIII. Osee iv. 13.

They offered **sacrifice upon the tops of the mountains**, and burn incense upon the hills: under the oak, and the poplar, and the turpentine-tree, because the shadow thereof was good: therefore shall your daughters commit fornication, and your spouses shall be adulteresses.

XIV. Osee viii. 11.

Because Ephraim hath made **many altars** to sin; altars are become tot him unto sin.

XV. Osee x. 1, 2.

Israel a vine full of branches, the fruit is agreeable to it: according to the multitude of his fruit he hath **multiplied altars**, according to the plenty of his land he hath abounded with **idôls.**

Their heart is divided, now they shall perish: he shall break down their **idols**, he shall destroy their **altars.**

XVI. Osee xii, 11.

If Galaad be an idol, then in vain were they in Galgal offering sacrifices with bullocks: for their **altars also are as heaps in the furrows of the field.**

If we take these passages alone and consider them apart from the rest of the prophecy, we can, of course, say that they are a plea for unity of sanctuary and can claim to see in them the source of the Deuteronomist's inspiration. But if the passages given above have proved to us that the main end which Osee had in view was to show the enormity of the sin of **schism** of which Ephraim had been guilty, we shall be obliged to put another construction on these passages. The prophet condemns their "**many altars**," but precisely because they are idolatrous, not because they are opposed to the one sanctuary at Jerusalem. That is, of course, implied, since their sin was schism or separation from the true seat of God's worship. But the critical school regard Osee as engaged in a polemic against the "high places" in general and that not simply because they were idolatrous or led to idolatrous practices, but because they were opposed to the one sanctuary at Jerusalem But this is to do violence to his words and to read into them a meaning which they will not bear. Osee, then, living in the days of Jeroboam II., when Ephraim was at the height of its prosperity, warns the apostate nation that their material prosperity must not deceive them into thinking that they are in God's favour. Ephraim

may be "a vine full of branches" and its "fruit agreeable," but none the less their idolatries are as numerous as the vines in their vineyards. The prophet has nothing to do with Jerusalem or its sanctuary; in a sense his theme is not Monotheism, but **schism** and its concomitant evils.

It will have been noticed that of all the above-quoted passages there is only one which even remotely reminds us of Deuteronomy, *e. g.*, v. 10. As for the references to the "many altars," even these are not definitely referred to as being established at ancient Canaanite shrines, as in Deuteronomy vii. and xii. But it should be noted that it is only in Deuteronomy that a **multiplicity of altars** is condemned, though this law has its roots, as we have seen above, in Leviticus xvii. We do not, however, insist upon this as a proof that Osee is indebted to Deuteronomy, for the critical school argues that it is to Osee's condemnation of these "many altars" that the Deuteronomist is indebted. We do not insist on this point, for we fancy that the dependence of Osee upon Deuteronomy can be shown in a more convincing way; we feel that the prophecy of Osee is saturated with the language and thoughts of Deuteronomy to a degree which can only be explained on the supposition that the prophet was deeply imbued with its teaching and knew that his hearers or his readers were equally familiar with it.

There are two chapters in Deuteronomy with which, if it be what it claims to be, *viz.*, a collection of Moses' last words to his flock, we should expect an Israelite to have been familiar, namely, chap. xxviii., with its wonderful promises of blessings for the faithful and of sorrows for the unfaithful, and chap. xxxii., the canticle which Moses expressly taught to Israel "for a witness against them" (xxxi. 28). Let us see, then, how far it is true that Osee shows a deep acquaintance with the ideas of these two chapters. We must premise, of course, that no one extract will prove our point, and that it is not question of exact quotation but of **repeated** indications of a line of thought which is that of Deuteronomy: —

I. Deut. xxviii. 33.	Osee viii. 7, 8.
The fruit of thy ground and all thy labours shall **a nation which thou knowest not** eat up.	If it (the corn) yield, **strangers** shall swallow it up. Israel is swallowed up; now are they among the nations as a vessel wherein is no pleasure.

II. Deut. xxviii. 41.	Osee ix. 11, 12 ff.
Thou shalt **beget sons and daughters,** but they shall not be thine, for they shall go into **captivity.**	As for Ephraim . . . there shall be **no birth,** and none with child, and no conception. Though they bring up their children, yet will I bereave them, that there be **not a man left.**
III. Deut. xxviii. 49.	Osee viii. 1.
The Lord shall bring against thee from afar, from the and of the earth **as the eagle** flieth, a nation whose tongue thou shalt not understand.	**As an eagle** he cometh against the house of the Lord, because they have transgressed my covenant.
IV. Deut. xxviii. 64.	Osee ix. 17.
The Lord shall **scatter** thee among all peoples . . . and among these nations shalt thou find no ease . . . **no rest** for the sole of thy foot.	My God will **cast them away** because they did not hearken unto him, and they shall be **wanderers** among the nations.
Deut. xxviii. 68. And the Lord shall bring thee (וְהֶשִׁיבְךָ) into Egypt again.	Osee ix. 3. Ephraim shall return (יָשֻׁב) into Egypt.
	Osee viii. 13. They shall return (יָשׁוּבוּ) to Egypt.

To realise the full force of these words we must recollect that they were spoken probabily in the days of Ezechias, and therefore when the deportation of Ephraim was imminent; undoubtedly Osee saw in the way in which the northern tribes were hastening to their destruction only the fulfilment of what Moses had foretold long before. But, like Amos, Osee does not *quote* Deuteronomy; even when passages in his prophecy are strikingly parallell to that book's utterances the Hebrew is not always the same. His words are rather an echo of Deuteronomy than direct reference to it, but this echo sounds clearly when we read the prophet and then turn to Deuteronomy itself. This will become still more clear if we institute a comparison betwen Osee and chap. xxxii. of Deuteronomy: —

Deut. xxxii, 10. He **found** him in a desert land, and in the waste howling **wilderness;**	Osee ix. 10. **I found** Israel like grapes in the **wilderness.**
He **compassed** him about, he cared for him.	Osee xi. 3. Yet I taught Ephraim to go, I **took them in my arms.**
Cf. Deut. viii. 15. The Lord thy God who led thee through the great and terrible wilderness . . . **thirsty ground** where there was no water.	Osee xiii. 5. I did not know thee in the wilderness, in the **land of great drought.**

V. Deut. xxxii. 15.

But Jeshurun **waxed fat**, and kicked:
Thou art waxen fat, thou art grown thick, thou art become sleek.

Osee xiii. 6.

Accoding to their pasture so were they filled, and their **heart was exalted**: therefore they have forgotten me.

Osee xii. 8. And Ephraim said, Surely I am **become rich**, I have found me wealth.

VI. Deut. xxxii. 15.

Then he forsook God, his Maker (עָשָׂהוּ).
And lightly esteemed the Rock of his salvation.

Osee viii. 14.

For Israel hath forgotten his Maker (עשׂהו).

VII. Deut. xxxii. 16, 17.

They moved him to jealousy with with strange gods,
With **abominations** provoked they him to anger.
They sacrificed unto demons which were no god,
To gods whom they knew not,
To new gods that came up of late, Whom your fathers dreaded not.

Osee ix. 10.

They came to Baal–Peor, and consecrated themselves unto the **shameful** thing, and became like that which they loved.

VIII. Deut. xxxii. 20.

And he said, I will **hide my face** from them,
I will see what their end shall be.

Osee ix. 12.

Yea, woe also to them when **I depart** from them.

IX. Deut. xxxii. 26.

I said I would **scatter** them afar,
I would make the remembrance of them to cease from among men.

Osee ix. 17.

My God will **cast them away**, because they did not hearken unto him, and they shall be wanderers among the nations.

X. Deut. xxxii. 29.

Oh that they were **wise**, that they **understood** this,
That they would consider their latter end.

Osee xiv. 9.

Who is **wise**, and he shall **understand** these things? prudent, and he shall know them?

XI. Deut. xxxii. 32.

For their **vine** is of the vine of Sodom,

Osee x. 1.

Israel is a luxuriant **vine**, which putteth forth his fruit: according to

And of the fields of Gomorrha;
Their grapes are grapes of gall,
Their clusters are bitter.

Cf. Deut. xxix. 23. Like the overthrow of Sodom and Gomorrha, **Admah** and **Seboim**, which the Lord overthrew in his anger and in his wrath.

the multitude of his fruit he hath multiplied his altars.

Osee xi. 8. How shall I give thee up, Ephraim? how shall I deliver thee, Israel? how shall I make thee as **Admah**? how shall I set thee as **Seboim**?

XII. Deut. xxxii. 39.

I kill and I make alive,
I have **wounded**, and I **heal**;
And there is none that can **deliver** out of my hand (וְאֵין מִיָּדִי מַצִּיל).

Osee vi. 1, 2.

Come and let us return to the Lord:
For he hath taken us, and he will **heal** us: he will **strike**, and he will cure us.

Osee ii. 11. And none shall **deliver** her out of my hand (וְאִישׁ לֹא יַצִּילֶנָּה מִיָּדִי).

Here, then, we have at least eight passages from the canticle of Moses which find their echo in the lyrics of Osee. And we cannot say it is the other way about, we cannot say it is the Deuteronomist who is indebted to Osee; for whereas in Deuteronomy these expressions on which we have been insisting form a consecutive whole—in fact a song—in Osee they are scattered up and down his prophecies just as quotations from Holy Writ are scattered broadcast over the writings of the Fathers, and *none but those very familiar with Holy Writ* recognise them as quotations, because in reality they are not so but are more correctly echoes of words deeply impressed in the memory, and of thoughts which have become so ingrained as to seem almost the original thoughts and ideas of the speaker or writer. No sane critic will maintain that the Deuteronomist collected all these passages from Osee, and wove them into the canticle which he wished to put into the mouth of Moses! And yet on the critical view what other supposition is open to us?

But for us Osee serves as the best commentary on the words of Deuteronomy xxxi. 19-21: "Now therefore write ye this song for you, and **teach** thou it the children of Israel; put it in their mouths, that this song may be a witness for me against the children of Israel. For when I shall have brought them into the land which I sware unto their fathers, flowing with milk and honey, and they shall have filled themselves and waxen fat; then

they will turn unto other gods and serve them, and despise me and break my covenant. And it shall come to pass, when many evils and troubles are come upon them, that this song shall testify before them as a witness; for **it shall not be forgotten** out of the mouths of their seed."

A careful study of Osee would, we have no doubt, reveal many other parallels similar to those we have indicated, but it will be sufficient for our purpose if we draw attention to the following remaining passages: —

XIII. Deut. iv. 29.

But if from thence ye shall **seek** (וּבִקַּשְׁתֶּם) the Lord your God, thou shalt find him if thou search after him **with all thy heart** and with all thy soul.

Osee iii. 5.

Afterwards shall the children of Israel return and **seek** (וּבִקְשׁוּ) the Lord their God.

Osee v. 15. I will go and return to my place till they acknowledge their offence and **seek** (וּבִקְשׁוּ) my face; in their affliction they will **seek** me **earnestly**.

XIV. Deut. xii. 2.

Ye shall surely destroy all the places wherein the nations which ye shall possess served their gods, upon the **high mountains**, and upon the **hills**, and under **every green tree**.

Osee iv. 13.

They sacrifice upon the tops of **mountains**, and burn incense upon the **hills**, under **oaks and poplars and terebinths.**

XV. Deut. xii. 3.

Ye shall hew down the graven images of their gods, and ye shall destroy their **name** out of that place.

Osee ii. 17.

For I will take away the **name** of the Baalim out of her mouth and they shall no more be mentioned by their **name.**

XVI. Deut. xxvi. 5.

An Aramean ready to perish was my father, and he went down into Egypt and sojourned there, . . . and the Egyptians laid upon us hard bondage.

Osee xii. 12.

And Jacob fled into the field of Aram and Israel served for a wife.

XVII. Deut. xxvi. 14.

I have not eaten thereof in my **mourning** (לֹא אָכַלְתִּי בְאֹנִי) neither have I put away thereof, being **unclean** (נְטָמֵא).

Osee ix. 4.

Their sacrifices shall be unto them as the bread of **mourners** (כְּלֶחֶם אוֹנִים), all that eat thereof shall be **polluted** (כָּל-אֹכְלָיו יִטַּמָּאוּ).

There is a further literary feature in the Book of Deuteronomy which we cannot afford to disregard, and that is its use of the old Canaanite name **Abib**, אביב, for the first month of the year. This name is used only once it is true, xvi, l. where the Hebrews are told to observe the Passover in that mount, it occurs however five five times in Exodus and once in Leviticus and is not found outside the Pentateuch. In the later books the name **Nisan** is used. An examination of the Hebrew Calendar as given in the Bible will reveal some interesting points. Ten months are mentioned by name, three of these occur in their old Canaanite form only, viz. Ethanim, 3. Kgs. viii, 2; Ziv, 3. Kgs. vi. 1; and Bul, 3. Kgs. vi. 38. Six occur only in the form which we now know was derived from Babylonia viz. Sivan, Esth. viii. 9; Elul, Neh. vi. 16 and 1. Macc. xiv. 27; Casleu, Zach. vii. 1. Neh. i. 1 and in both books of Maccabees; Tebeth, Esth. ii. 16; Shebet, Zach. i. 7; and Adar, frequently in Esther, also in Esdras vi. 15. Lastly one only, viz. the name of the first month, occurs both in its old Canaanite and in its later Assyro-Babylonian form, in the former as **Abib** in the latter as **Nisan**. Now it is a remarkable fact that these Canaanite forms are confined to books which we should naturally attribute to Pre-Exilic days, three are to be found in 3 Kgs. only, while the Canaanite form Abib is only to be found in the Pentateuch. On the other hand the Assyro-Babylonian forms are only to be found in books which are patently of post-Exilic date, thus Prophecies published immediately after the Restoration contain the Babylonian forms, e. g. those of Zacharias. It is a legitimate conclusion, then, that books which rigidly employ the archaic Canaanite forms date from a period anterior to the Exile; Critics will, of cours, concede this for Deuteronomy which they refer to the seventh century B. C., but they must logically concede it also for the rest of the Pentateuch. What then becomes of the post-Exilic date of the Priestly Code? And it is remarkable, too, how hard and fast a line is drawn betwen the non-Babylonian and the Babylonian nomenclature for the months; thus immediately after the Exile we find the Babylonian forms in use as we have seen, but Kings which is at least brought down to the Exile and even contains a reference (4. Kgs. xxv, 27) to a post-Exilic event, yet clings tenaciously to the Canaanite terminology.

An impartial examination, then, of the names of the months

in use will not, it is true, prove the Mosaic date of Deuteronomy, but it does show that a fundamental thesis of the Critics, viz. the post-Exilic date of the Priestly Code, is not well founded.

Another literary argument, however, tends to confirm the traditional date assigned to Deuteronomy or at least to show that it must be referred to a period antecedent to the seventh century. The writers of the eighth and seventh centuries B. C. make very frequent use of two expressions which, though they never occur in Deuteronomy, are just such as we should have expected its author to use: we refer to the expressions "Lord God of Hosts" and "the Holy One of Israel." The former is never found before the Books of Samuel where it occurs eleven times; in the Books of Kings it occurs five times; in Isaias over sixty times; in Jeremias over eighty times and in Amos six times. It was, then, in very general use and it is hard to understand its absence from the Pentateuch in general and from Deuteronomy in particular unless we accept the traditional view that those books were written long before the time when the expression in question came into use. The same must be said of the expression "Holy One of Israel," it first occurs in 4. Kgs. xix. 22; in Ps. lxxi, 22 and some twenty times in Isaias.

CHAPTER IX.

The Witness of Deuteronomy to Itself.

I.

We have seen what critics tell us we are to think of Deuteronomy, let us now see what the book tells us of itself. What does it set out to be?

The book claims to be the closing scene in what we may call the drama of Moses' life, and is itself intensely dramatic. We may for convenience' sake map out its contents as follows: —

(*a*) i–iv. The prologue.

(*b*) v–xxvi. The great discourse.

(*c*) xxvii–xxx. Its sequel.

(*d*) xxxi–xxxiv. The editorial appendix.

We shall justify these divisions as we proceed.

The opening words of the book are solemn, and they give minute details regarding its historical setting.

1. These are the words, which Moses spoke to all Israel beyond the Jordan, in the plain wilderness, over-against the Red Sea, between Pharan and Thophel and Laban and Haseroth, where there is very much gold:

2. Eleven days' journey from Horeb by the way of mount Seir to Cadesbarne.

3. In the fortieth year, the eleventh month, the first day of the month, Moses spoke to the children of Israel all that the Lord had commanded him to say to them:

4. After that he had slain Sehon king of the Amorrhites, who dwelt in Hesebon: and Og king of Basan who abode in Astaroth, and in Edrai,

5. Beyond the Jordan in the land of Moab. And Moses began to expound the law, and to say:

The book hinges on to Numbers xxii–xxxvi., the chapters which recount the departure of the Israelites from Cades and their arrival in the plains of Moab. The crucial period has come in

the lives of the emancipated people; their period of training and discipline is over, and they are now about to enter the promised land from which so many of them have through their own fault been excluded. It was a solemn moment; for upon them, according to the marvellous counsels of God, depended the future of the world, since to them He had entrusted His revelation and the key of the kingdom of heaven. And it was a crucial moment for Moses too, for he was now to die, he was not to see that land which he had had so long in his mind. All the past forty years of struggle with a carnal-minded people who were, however, the favoured children of God, and for whom he had so laboriously striven, must have passed in review before his mind as he gazed at the Judæan hills which rose in purple majesty before him. What did the future contain? Were all his strivings, were all the countless mercies of God, to be thrown aside by this stubborn people whom he had learnt to know so well and to love so truly during the long years which had rolled away since he stood as a humble and exiled shepherd by the well in the desert of Midian? He thought of the thunders of Sinai, of the repeated forty days and nights in the mountain alone with God, of the tables of the divinely-written law, of his grief and anger as the sounds of revelry fell on his ears and told him that his people had apostatised from the God of mercy and compassion; he thought, too, how in his wrath he had thrown down and broken those same tablets, and how God in His compassion had mercifully re-written them. And then as he gazed he saw pass in review all the numberless occasions on which this people had thrown away their chances in a spirit of levity which had appalled him; eight and thirty years ago they should have entered the land which they were now gazing at from afar, and they had only their own folly to thank for their long exclusion from it. He thought of all those countless graves which marked their sojourn in the wilderness, of all those whom he had known and loved, and whose bones now lay decaying in the desert because they had not obeyed their God. And then his thoughts turned with yearning to the descendants of those friends and acquaintances of bygone years—had they learnt the lesson which those terrible years in the wilderness had been intended to teach them?

This may, to some, sound poetical, even rhapsodical; but if

Moses ever lived at all, if he ever brought the children of Israel to the plains of Moab, then the above is no mere fancy and must be allowed due weight when we discuss the book which purports to contain Moses' last words to those whom he loved as no father ever loved his children. Deuteronomy purports, then, to be Moses' last testament, and to our minds the book is exactly what it claims to be, and the purpose so clearly stamped upon it is the sole key to its right understanding; it is because critics have been determined to see in it a "law-manual," a "later code," a "spurious work written in the seventh century," in fine anything rather than what it purports to be, that they have gone so far astray in their criticism of it.

We will examine the general features first.

I. In chaps. i–iv. we have a *résumé* of the events of the past forty years, but there is one remarkable feature which strikes us at once — the Exodus is not mentioned, Moses commences his retrospect with the command to leave Horeb. Can any conceivable reason be assigned for this startling omission? We are certain that none can be given upon the modern critical theory. And yet if we allow the book to be what it claims to be, the reason is self-evident: the witnesses to the Plagues and to the wonders of the Exodus were dead, and those who stood before Moses in the plains of Moab had been brought up in the wilderness. Moreover, it was not to the Exodus and its marvels that Moses wished now to appeal, it was rather to the wonders of the law of mercy which they had received. He wished, too, to remind them of the fact that their parents had died because they had not kept that law, and that to this same cause were due the long and weary years in the desert (*cf.* i. 32-36, 46, and ii. 14). Moses, then, makes a *résumé* of the wanderings, and he selects various events from the history of those years; but he selects them with absolute freedom and refers to them in a way which shows that he is not quoting from any written document but is mentioning things familiar to them all; hence throughout his allusions to the past we find innnumerable, trifling, but most significant variations, which bear the stamp of authenticity but which critics regard as proofs of a later date. Yet perhaps if there had been no discrepancies it would have been argued that the perfect harmony between the accounts was a proof that the later one was a forgery.

Moses then recounts the events which marked their conquest of the country to the east of Jordan, and, in truly touching words (iii. 21-29), tells of his own exclusion from the Promised Land. This brings him to the day on which he is speaking, and in chap. iv. he begins what we may term the exordium to his great address in chaps. v–xxvi. But before leaving this introductory discourse we must not omit to notice the constant references to a past legislation; thus in iv, 5, "Behold I have taught you statutes and judgments, even as the Lord my God commanded me"; again, verse 14, "And the Lord commanded me at that time to teach you statutes and judgments, that ye might do them in the land whither ye go over to possess it."

II. Turning now to the great sermon itself (chaps. v–xxvi.), we find that it falls into two distinct parts, *viz.*, v–xi. and xii–xxvi. In the former, Moses repeats the Decalogue and comments on it, and we note the frequent references to the forty days and nights in the mount when the legislation given in Exodus xxv–xxxi. and xxxv–xl. was set before to Moses. We note, too, in passing, that this legislation is part of that which critics assign to the author of the Priestly Code, and that consequently the critical view that Deuteronomy is only dependent on JE and not upon P is apparently without foundation. We might fittingly sum up the first part of this discourse, *viz.*, v–xi., in the words "NE OBLIVISCARIS!" (*cf.* vi. 1, 13, 25, vii. 11, viii. 1, 2, 11; etc.). The commandments referred to are past, observance of them in the future will be their only safeguard. And Moses' straightforward honesty, if we may so term it, is most remarkable; he never hides from his hearers the fact that their past has been disgraceful, nor even, as we shall see, that their future observance of the laws he is putting before them is very doubtful indeed. We must notice, too, how, just as the introductory chapters looked backward yet with a view to the future, so also the first part of the great discourse looks backward to commandments already given but forwards to the question of their future observance. And Moses' burning words are, as we read them and let them sink into our souls, the words of a man who stands on a hill and looks back into the valley from which he has come and who casts upon it a last wistful look, for he knows that he will see it no more. Then he turns his gaze to the valley which lies before him. He, indeed, will never enter

that valley; for himself it has no interest, for he is not to descend thither; but it has its absorbing interest, none the less, since those who have lived with him and whom he loves are to go down into that valley and their fate there will depend entirely upon the extent to which they have laid to heart the teaching of the years during which they have been with him. As we read these chapters, we seem to catch a glimpse of Moses' very soul, and we marvel as we gaze, for there is a conflict going on therein. There are, of course, passing regrets for the land which he is not to enter, but beyond all there is deep anxiety for those who are to go thither; and yet with it all there is an atmosphere of serenity and peace in this portrait of Moses which is indescribable. He is pictured to us as an interested and at the same time a disinterested spectator, and the reason for this is clear if we are reading a true history—Moses is at the gate of death and he knows it. None the less is his soul filled with peace, for he knows, too, that he is going to Him whom he had himself termed the "most mighty, the God of the spirits of all flesh" (Num. xvi, 22) and again "the Lord, the Lord God, merciful and gracious, patient and of much compassion and true" (Exod. xxxiv. 6).

Is it conceivable that a seventh-century writer—one, too, with a controversial axe to grind—could possibly have drawn this delicate sketch? It is one thing to appreciate its beauty and to realise its perfection as a delineation of Moses in his last hours when he saw the shadow of death coming over him; it is quite another thing to draw such a picture when removed by a space of seven centuries from the subject of our sketch.

III. Chaps v–xi, glide insensibly into the second part of the discourse, for which indeed they form a natural preparation. We must briefly summarise the contents of this second part. Chapter xii. There is to be but one sanctuary; xiii. True and false prophets; xiv. Clean and unclean foods; xv. The Jubilee year; xvi. The three annual feasts; xvii. The Judge of controversies: the law of the king; xviii. The tithes for the Levites and priests. Israel is to have prophets and not diviners; xix. The cities of refuge; xx. Laws relating to war; xxi–xxii. Various civil laws; xxiii. The congregation and its members; xxiv–xxv. Laws: regarding their dealings with their neighbours; xxvi. The formula for the tithe offerings; only one sanctuary.

A comparison of these enactments with the preceding legislation will show that there are few points which have not been touched upon before. But even the old points are differently handled now. And the difference is a subtle one, for the various points are but briefly stated when they are only reminders of a legislation which has already been given; but when some entirely new feature is brought out it is dwelt upon at some considerable length, *e. g.*, the law touching the one sanctuary, or those about the judge and about the king. Further, an examination of the laws which are repetitions shows that they are just such as would be naturally insisted on by a legislator who felt that the moment had come when his previous preparatory instructions were now about to be put to the test of actual practice; while on the other hand no one can question that the new laws are just such as would be required by a people entering upon a heritage which they will only be able to keep on condition that they observe the law of their God. Indeed it may be truly said that all the subsequent history of Israel is an eloquent commentary on the wisdom displayed by Moses in these discourses delivered in the plains of Moab.

Let us return for a moment to the critical standpoint, *viz.*, that Deuteronomy was simply written in the interests of the reform, and that it was devised as a means of compelling Josias to insist upon the one sanctuary at Jerusalem as being the sole efficacious way of ensuring a monotheistic cult. If this view is true, how comes it that the one crucial point, *viz.*, the unity of sanctuary, does not play a more important rôle in the legislation? That it plays an important part is undoubted, but if it was the one object which the author had in view it is surely somewhat strange that it is never mentioned till the twelfth chapter, though it is referred to frequently afterwards. What consummate art the writer must have possessed if, while this was the one aim he had in view, he yet contrived to only insinuate it in the twelfth chapter, and then afterwards take it for granted! Again, it is usual to consider this law about the one place of the sanctuary as being a new one, and we have so spoken of it ourselves, but there is good ground for thinking that it was not really a new law but that its roots can be traced in the previous Pentateuchal legislation; this point is worth dwelling on, as it would seem to afford confirmation of

the view of Deuteronomy which we are advocating. In Leviticus xvii. 1–9 we read as follows:—

1. And the Lord spoke to Moses, saying:
2. Speak to Aaron and his sons, and to all the children of Israel, saying to them: This is the word, which the Lord hath commanded, saying:
3. Any man whosoever of the house of Israel, if he kill an ox, or a sheep, or a goat, in the camp, or without the camp,
4. And offer it not **at the door of the tabernacle** an oblation to the Lord, shall be guilty of blood: as if he had shed blood, so shall he perish from the midst of his people.
5. Therefore the children of Israel shall bring to the priest their victims, which they kill in the field, that they may be sanctified to the Lord before **the door of the tabernacle** of the testimony, and they may sacrifice them for peace-offerings to the Lord.
6. And the priest shall pour the blood upon the altar of the Lord, at **the door of the tabernacle** of the testimony, and shall burn the fat for a sweet odour to the Lord.
7. And they shall **no more sacrifice their victims to devils,** with whom they have committed fornication. It shall be an ordinance for ever to them and to their poserity.
8. And thou shalt say to them: The man of the house of Israel, and of the strangers who sojourn among you, that offereth a holocaust or a victim,
9. And bringeth it not **to the door of the tabernacle** of the testimony, that it may be offered to the Lord, shall perish from among his people.

On this law Wellhausen remarks: "The intention of this prescription is simply and solely to secure the exclusive legitimation of the one lawful place of sacrifice; it is only for this, obviously, that the profane slaughtering outside of Jerusalem which Deuteronomy had permitted, is forbidden. Plainly the common man did not quite understand the newly drawn and previously quite unknown distinction between the religious and the profane act, and when he slaughtered at home (as he was entitled to do), he in doing so still observed, half-unconsciously perhaps, the old sacred sacrificial ritual. From this arose the danger of a multiplicity of altars again creeping in, and such a danger is met, in an utterly impracticable way indeed, in Leviticus xvii. And it is worth noticing how much this law, which for the rest is based upon the Book of Deuteronomy, has grown in the narrowness of its legitimistic mode of viewing things. Deuteronomy thoroughly recognises that offerings, even though offered outside of Jerusalem, are still offered to Jehovah; for the author of Leviticus xvii. this is an impossible idea, and he regards such offerings simply as made to devils. I refuse to believe that any such thing could

have been possible for one who lived before the Deuteronomic reformation, or even under the old conditions that were in existence immediately before the exile." [1]

But this law of Leviticus xvii. is clearly a piece of legislation for the desert, and it hints at early abuses parallel to the later worship at the high places. The important verse for us is verse 7, "And they shall no more sacrifice their sacrifices unto the devils (he-goats) with whom they have committed fornication." The rendering "he-goats" in R.V. is unnecessary, for the meaning is clearly that given above, *viz.*, "devils." This passage gives us a hint as to the real nature of the worship which rendered the high places such an abomination in after times. The word שָׂעִיר means radically "hairy," hence a "he-goat," and it is the word used for the sacrificial goats; but in such passages as 2 Chronicles xi. 5; Isaias xiii. 21 and xxxiv. 14, it is rendered by the Vulgate "pilosus" and "daemonia;" by LXX ματαίος and δαιμόνιον. The best commentary, however, on the passage is furnished by Deuteronomy xxxii. 17, "they sacrificed unto demons which were no God," and by Psalm cvi. 37, "and they sacrificed their sons and their daughters to devils." It is true that in these two last-mentioned places a different word (שֵׁדִים) is used, and that these are the only places where the word is found, but the sense seems clear, and the Vulgate and the LXX render it by "daemonia" and δαιμόνια respectively. Thus this short passage in Leviticus affords us an interesting side-light on the history of the wanderings; a great deal of idolatry prevailed, so much so that it is referred to as a well-known fact in Deuteronomy xxxii. 17; Psalm cvi. 37; and Amos v. 25, 26. Further, and this is the point on which we wish to insist, Moses met the difficulty by a piece of legislation which was absolutely suited to the time of their sojourn in the desert, but which afterwards, when they ceased to live in tents, would have been impracticable; it was, on a small scale, the Deuteronomic doctrine of unity of sanctuary, and we are unquestionably to see in it the germ of the doctrine taught in the twelfth chapter of that book. Just as the law laid down in Leviticus was eminently adapted to the needs of their desert life, so the teaching of Deuteronomy xii. was perfectly

[1] *Prolegomena*, pp. 50, 51.

suited to their life when established in cities and towns. There is, then, a natural progress discernible; the law enacted in Deuteronomy is not revolutionary but the natural outcome of the previous legislation in Leviticus xvii. Indeed, we might go further and say that if Deuteronomy had not laid down some such law the omission would have been almost sufficient to have thrown a doubt on its authenticity.

IV. We now come to the sequel to the discourse, chaps. xxvii–xxx. The discourse itself closed with the solemn words:—

16. This day the Lord thy God hath commanded thee to do these commandments and judgments: and to keep and fulfil them with all thy heart, and with all thy soul.

17. Thou hast chosen the Lord this day to be thy God, and to walk in his ways and keep his ceremonies, and precepts and judgments, and obey his command.

18. And the Lord hath chosen thee this day, to be **his peculiar people,** as he hath spoken to thee, and to keep all his commandments:

19. And to make thee **higher** than all nations which he hath created, to his own praise, and name, and glory: that thou mayst be **a holy people** of the Lord thy God, as he hath spoken.

They have that day made a covenant with the Lord, and we note here, too, how expressions said to be characteristic of **JE**, *e.g.*, "a peculiar people to the Lord;" of **H**, or the so-called "Law of Holiness," *e.g.*, "a holy people of the Lord thy God," are all welded together. These verses lead up naturally to the twenty-seventh chapter in which the Israelites are commanded to inscribe on stones "all the words of this law" when they shall have passed the Jordan. In the concluding words of the great discourse Moses had declared that the Lord had chosen them "to make them *higher* than all the nations which he had created;" and this thought is resumed in xxviii. 1, "If thou wilt hear the voice of the Lord thy God to do and keep all his commandments which I command thee this day, the Lord thy God wil *make thee higher* than all the nations that are on the earth." Critics generally regard this as an indication that chap. xxvii. is an interruption and out of place, but it is hard to see that this is a just conclusion, for chap. xxvii. is but the natural outcome of chaps. xii-xxvi. It is the seal, so to speak, on the covenant, while chap. xxviii. indicates the rewards, or the opposite, which they shall merit as the fruit of their observance or non-observance of that covenant; in-

deed the closing words of chap. xxviii. (xxix. 1) seem to involve the unity of the whole and to attach xxviii. to xxvii. and xxvi.: "These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, beside that covenant which he made with them in Horeb." In chaps. xxix–xxx. we have the final peroration of the whole discourse; it may be summed up in its closing words: "I call heaven and earth to witness this day that I have set before you life and death, blessing and cursing. Choose therefore life that both thou and thy seed may live." But what is particularly striking from the critical point of view is the repeated reference to the blessings or curses, to the statutes or commandments, "that are *written in this volume*." For there has been no hint so far that Moses wrote any part of this discourse, and certainly no command that he should do so. Is it credible that an author writing Deuteronomy in the seventh century and for a polemical purpose would have omitted to state that Moses was told to write this discourse? Nor must we forget that it is just this latter part of the discourse, *viz.*, xii–xxvi., which contains the new teaching and especially the legislation about the place of sanctuary. But this reference in chaps. xxix–xxx. to a "written volume" throws light on the statement in chap. xxvii. that they are to write on stones "all the words of this law." It has long been disputed what "this law" included. Did it mean the whole Pentateuch? Did it mean the whole of Deuteronomy? Neither of these suppositions seemed probable; many critics were inclined to think that it was only the Decalogue which was to be inscribed on the stones. But the recently discovered cone on which the Code of Hammurabi is inscribed throws new light on the matter. Here we have a cone of diorite, or exceptionally hard stone, about eight feet high. On the obverse is a large representation of Hammurabi himself with about 700 lines of inscription, in which he gives his titles, his glory, his veneration for the gods, etc. On the same side are sixteen columns closely inscribed with 1,114 lines of his legal code, while on the reverse are twenty-eight columns containing 2,500 lines more; part of the inscription has been erased, but 3,614 lines of the code remain. If we turn to Deuteronomy we find that chaps. xii–xxvi. contain 345 verses, which may be roughly estimated as about the equivalent of 1,200 lines of Ham-

murabi's inscription. Now we have seen that it is precisely in these chapters that the new legislation—that, namely, which was especially applicable to the new life they were about to commence—was contained, and it is also highly probable that the expression "all the words of this law" in xxvii. 3 refer precisely to these chapters. From the analogy afforded us by the cone on which Hammurabi's inscription is inscribed we should find no difficulty in supposing that this was what Josue inscribed on the stone.

V. Chaps. xxxi–xxxiv. constitute what we have termed "the editorial appendix," and we so termed it because it is in the third person and because it contains an account of a series of acts which Moses performed after delivering his discourse. In the thirty-first chapter we are told that:—

9. Moses **wrote this law**, and delivered it to the priests the sons of Levi, who carried the ark of the covenant of the Lord, and to all the ancients of Israel.

10. And he commanded them, saying: After seven years, in the year of remission, in the feast of tabernacles,

11. When all Israel come together, to appear in the sight of the Lord thy God in the place which the Lord shall choose, thou shalt read the words of this law before all Israel, in their hearing.

12. And the people being all assembled together, both men and women, children and strangers, that are within thy gates: that hearing they may learn, and fear the Lord your God, and keep, and fulfil all the words of this law:

13. That their children also, who now are ignorant, may hear, and fear the Lord their God, all the days that they live in the land whither you are going over the Jordan to possess it.

The same thing is repeated in verses 24–27. We are also told that Moses composed and committed to writing a **canticle** and taught it to the children of Israel; reference is made to this canticle in 2 Maccabees vii. 6. In chap. xxxii. we have this wonderful canticle in full; it is a summary of the teaching of Deuteronomy, and it is worth while noting that there is not the slightest trace of any Messianic reference in it. With regard to this canticle we would remark that it is not isolated, that it does not stand apart from the rest of the book, but that it is in the most subtle and delicate way attached to what has gone before. We will only single out one or two indications of this point. In the first place, how remarkable it is that in this his last address to his people Moses has hardly a word of praise or commendation for

them! He describes in vivid terms the past mercies of God, but he describes the people as "foolish and senseless." He details their past infidelities, and then concludes: "They are a nation without counsel and without wisdom"! Is it conceivable that a later writer would have dared to thus depict the lawgiver of Israel? But critics do not dispute the early, if not Mosaic, date of this song; how, then, do they escape the fact that it is unintelligible without Deuteronomy? How do they explain the fact, too, that it is oratory of the most sublime kind? How do they escape the dilemma that if they assign Deuteronomy as a whole to the age of Josias because of its monotheistic teaching, they must, if they would be consistent, do the same for this song, for it, too, is purely monotheistic in its teaching?

In the second place there is a curious little indication of the way in which the whole is knit together; a hint, too, which is quite undesigned, but which yet seems to prove that we cannot separate the canticle from the rest of the book. After the canticle is finished Moses says:—

46. Set your hearts on all the words, which I testify to you this day: which you shall command your children to observe and to do, and to fulfil all that is written in this law:

47. For they are not commanded you in vain, but that every one **should live in them**: and that doing them you may continue a long time in the land whither you are going over the Jordan to possess it.

Here we have an incidental expression which has the ring of authenticity: "that every one should **live** in them." We turn to xxx. 6: "that thou mayest love the Lord thy God with all thy heart and with all thy soul, that *thou mayest live.*" We find the same again in verse 16 and in verse 19: "I have set before you *life* and death . . . choose therefore *life* that both thou and thy seed may *live.*" Are we wrong in saying that we have here a keyword to Moses' exhortations, and that this undesigned use of it in xxxii. 47 is a proof—a subtle one it is true, but perhaps all the more telling for that—that the whole is the work of one author who wrote naturally and spontaneously?

There then follows the final "**Blessing**" of Moses; in it we shall find, if we are not mistaken, the same minute but none the less convincing proofs of the authenticity of the whole.

If we examine the names of the tribes the order in which they

are given, and the characteristics assigned to each of them, we think we shall be able to show good reason for holding that while this "blessing" belongs to a period later than Jacob's "Blessing" in Genesis xlix. it most certainly does not belong to the time of Josias, but suits the age of Moses and is in harmony with the rest of the Pentateuch.

The Names.—The only remark which falls to be made regarding the names themselves is that that of **Simeon** is wanting. Two solutions offer themselves: (*a*) that we have here a proof of a later date and of a time when Simeon had been absorbed in Judah; (*b*) that Simeon for some reason still fell under the curse fulminated against him by Jacob. We have no right to pin our faith to the first solution unless a multiplicity of details support it, for the "blessing" is given to us as the work of Moses, and his authorship is, so to speak, in possession, and cannot be rejected until disproved. But for the second explanation we have good ground. In Numbers xxv. we have the story of the initiation of the Israelites to Beelphegor, and in verse 14 we are told that the chief offender on that occasion was a member of the tribe of Simeon; it is, to say the least, not a little remarkable that when in the next chapter we have the second census of the people the total of this particular tribe is set down as 22,200, whereas before (i. 23) their number had been 59,300. When Israel was initiated to Beelphegor Levi redeemed their curse; not so Simeon. Moreover, that the Simeonites were not so completely absorbed in Judah, as the other solution would demand, is shown by the genealogical lists furnished in 1 Chronicles iv., where, too, some of the heroic deeds performed by them are mentioned.

The Order of the Tribes. — In Genesis xlix. the order followed is, roughly speaking, that of their ancestry; all the children of Leah, for instance, are grouped together. This order is not so closely observed in Deuteronomy, it was natural in Genesis, but in Deuteronomy it would seem as though the author took them according to their pre-eminence, Ruben, Judah, Levi, Benjamin and Joseph; and then those who had not played so conspicuous a part. And here, again, two explanations of the order followed present themselves. We may either see in it an order due to the pre-eminence which these various tribes assumed subsequently to the occupation of the land, or we may say that the pre-eminence

is that which they had assumed respectively since their sojourn in Egypt. And just as we remarked above, in the case of the omission of the name of Simeon, so here; if the canticle is the work of Moses—and we have no proof as yet that it is not his—we are bound to see whether this latter explanation may not be the true one; it is, of course, easy to decide the question offhand, and on *à priori* grounds declare roundly that the "blessing" bears evident traces of having been composed after the Israelites had long been in possession of the land, but this is not the true critical method. It must be acknowledged that pre-eminence during the wanderings is clearly not the sole reason for the order here given, for neither Ruben nor Benjamin were particularly remarkable during the desert period. We may suppose, however, that Moses began, as in all the lists in Numbers, with Ruben as being the eldest; Simeon, had he been mentioned, would have come next, and Levi should have come after him; but though the latter has redeemed his curse, yet Jacob had cursed him and had blessed Judah solemnly, so that Moses could hardly have put Judah after Levi. We then have the two sons of the much-loved Rachel, Benjamin and Joseph; for none more important than Joseph since the sojourn in Egypt, and Benjamin of course must be linked with him. Then follow all the inferior tribes, so that the order is that of the greater and better known tribes, and then that of the less known ones; the change by which Benjamin and Joseph are brought up from the last place in the "blessing" of Jacob to the prominent place they now occupy is noticeable.

The Characteristics Assigned in the "Blessing" to each Tribe—**Ruben** is cursed in spite of his great multitude, 43,730 (Num. xxvi, 7). **Judah** is promised victory, and it is hard not to see in the words of his blessing a reference to the sceptre in Genesis xlix. 10. To **Levi** a magnificent testimony is given; the Urim and Thummim, their acceptance of a landless portion and their observance of the covenant—all are mentioned, but yet the sting is in the blessing! "whom thou didst prove at Massah, with whom thou didst strive at the waters of Meribah," Even in his joy Levi was to remember that he had been as "a brand plucked from the burning." Is there not an accent of truth running through all this? Is it really possible to suppose that any one but Moses could at a later date, when the Levites were in glory,

have left on record the sin of Levi? Nay more, Moses himself was a Levite. Could a later author, writing when the very name of Moses was almost sacred, have thus besmirched the name of his tribe?

Benjamin's blessing is remarkable. In R. V. it runs thus:—

> The beloved of the Lord shall dwell in safety by him;
> He covereth him all the day long,
> And he dwelleth between his shoulders.

We are told that we have here an evident reference to the temple-site at Jerusalem (Ball. *Proc. Soc. Biblic. Archæol.* vol. xviii. p. 124). It may be so, but is it certain that the reference is not prophetic? It is unfortunately the fashion to scout such ideas nowadays as though they were uncritical, yet true criticism demands that every known factor be taken into consideration. We have already had occasion to remark the vagueness which characterises the references to the future in Deuteronomy, e. g., the omission to mention the name of Jerusalem and the very vague tone of what must be acknowledged to be the great Messianic prophecy in chap. xviii. 15–18. A writer living in the seventh-century would of course have avoided betraying his date by mentioning the name of the chosen city, but would he have been able to give so vague a tone to his Messianic references? If we allow Messianic prophecy at all, we must concede its evolutionary character, and we cannot believe that a later author could have failed to be so influenced by the Davidic psalms as not to unconsciously betray his post-Davidic date. But what could be more vague than this passage concerning Benjamin if it really is a reference to the temple-site?

The blessing of **Joseph**, again, affords food for reflection; it is very long. The author has in view the blessing given to Joseph by Jacob. He comments on it, he prays for its fulfilment; and his words clearly mark not only a later stage than that blessing, but they are in harmony with the Mosaic age and no other. Thus in the first place, how naturally the words "the blessing of him that appeared in the bush" fall from the lips of Moses. It is a delicate touch which we have no ground for supposing that a seventh-century writer, or even any other than Moses himself, could have given. Further, is there any period in the subsequent history during which such things could have been said of **Ephraim** and

Manasses? The period covered by the books of Josue and Judges was not a glorious one for either of these tribes, in spite of the fact that they produced respectively Josue and Gideon. We have only to read Josue xvii, and xxii, and Judges viii, and ix, to see that there was always a certain amount of jealousy between Ephraim and Manasses, and between these two tribes and the rest. And when we come to the time of the kings matters are worse, for Jeroboam, who has truly been called "the prince of apostates," was an Ephraimite; while in the subsequent prophetical history "Ephraim" is, in the mouths of the prophets, synonymous with the schismatical tribes and is a symbol for rebellion.

We need not concern ourselves with the remaining tribes for they were never prominent, but we will give here the conclusions arrived at by a critic who has submitted this chapter to a rigorous scrutiny. These conclusions are very different from those which we have just put forward; but we will let them speak for themselves, allowing ourselves, however, the liberty of criticising each one as we give it.

(*a*) "It is evident," says the Rev. C. J. Ball in the paper to which we have referred above, "that this ancient poem, which we have now examined with some care, neither has nor makes any claim to be the work of Moses. We may go further and say that the anonymous author, so far from personating Moses, as he might have done without reproach had he chosen to make the great Lawgiver the mouthpiece of his sentiments, plainly refers to Moses (ver 4) as a hero of the far-off past, in the brief retrospect of Israel's history which forms the prelude to his poem."

It is to be noted, in the first place, that Mr. Ball only arrives at his view of the poem by a very free manipulation of the text; in this he is sometimes, though not often, justified by the versions. Thus when he terms verse 3 a historical retrospect it is only because he has made the text suit his preconceived notions. Again, when he says that the author "refers to Moses as a hero of the far-off past" this is only because he thus reads the text, and he does so at the expense of the existing Massoretic text of verse 4, which says: "Moses commanded us a law, an inheritance for the assembly of Jacob;" he neglects, too, the exceedingly probable explanation that these words are an interpolation due to the fact

that this "blessing" was, like the Canticle, learnt by heart, and that this clause was a heading inserted by some copyist.[1]

(*b*) "No secret is made of the fact that the writer lived at a period later than that of the Judges (ver. 22; *cf.* Jud. xviii.)."

Verse 22 in R. V. reads thus:—

> And of Dan he said,
> Dan is a lion's whelp (דָּן גּוּר אַרְיֵה),
> That leapeth forth from Bashan.

The reference to the time of the Judges is thus obtained: "In the second line . . . reference is made to Laish, the northern settlement of the tribe; and as Laish is one of the Hebrew terms for lion (Job iv. 11), there seems to be an allusion to the local name—an allusion which would prove, if proof were otherwise wanting, that the distich cannot have been written before the conquest of Laish by the Danites (Jud. xviii.)."

We may remark that even if the word "laish" had been used here, which it is not, for the term for "lion" here is אריה, it would have been rash to see in the use of that word a reference to the Danite town. The argument used is surely extraordinary. We might with equal justice see the same allusion in all the passages where Judah is called a lion! We might even argue from similar premises that when in verse 12, referred to above, it is said of Benjamin that "the *beloved* of the Lord shall dwell in safety with him," we are to see a reference to Solomon whom David called יְדִידְיָה, the very word used here! (*cf.* 2 Sam. xii. 25).

(*c*) He finds that the poem is also "later than that of the first institution of the monarchy (ver. 5);" the allusion here is to a verse which, as we have seen, may well be no part of the blessing; besides, Mr. Ball translates "and a king was made," whereas both LXX and Vulgate render it by the future "and a king shall be," a very possible allusion to Deuteronomy xvii.

(*d*) It is also "later than the building of the temple at Jerusalem (ver. 12);" this identification, as already mentioned, depends upon the words spoken of Benjamin which may be quite easily interpreted prophetically (*cf. supra*).

(*e*) "Later even than the division of the kingdom (ver. 7)."

[1] Codex Vaticanus and the Lucianic recension of LXX read ὑμῖν, 'you'.

In the blessing of Judah we read according to R. V.:—

> Hear, Lord, the voice of Judah,
> And bring him in unto his people.

Mr. Ball comments thus: "In the second line, as Graf was the first to perceive, the author very naturally prays for the reunion of the great southern tribe with 'his people,' the Ten tribes who constituted the mass of the Israelitish nation." He draws this conclusion from the fact (?) that "in contrast with Genesis xlix. Joseph, not Judah, is here the predominant figure, a fact which indicates that the author belonged to the kingdom of the Ten tribes. This is further confirmed by the occasional Aramaisms of the piece, as also by the aspiration for the reunion of Judah with Israel."

Yet we should have thought it more natural to see in the address to Judah an allusion to the blessing bestowed upon him in Genesis xlix. And is it not rather forcing the history of the Schism to make a poet of the Ten tribes pray that Judah may be brought back to unity? Have we any ground for supposing that it was at any time held that the southern tribes were guilty in the matter? It is assuredly not criticism to reconstruct our Bible in order to substantiate our views of it! All through the history the Ten tribes are regarded as the offenders. The prophet Osee is thought to have been a native of the northern district, in other words a member of the Ten tribes, yet he says expressly: "And after this the children of Israel shall return, and shall seek the Lord their God, and David their king" (iii. 5). What could be more explicit? Their initial error was the Schism, and until they return to their allegiance to the Davidic king, *i. e.*, to the southern kingdom, they cannot hope for the Divine blessing.

(*f*) Mr. Ball concludes: "The temple of Jerusalem, though mentioned with special distinction (ver. 12), is not the only lawful place of sacrificial worship. The tribes of Zebulon and Issachar have their own holy mountain, where they offer grateful dues to Jahvah (ver. 19). The poet everywhere evinces an enthusiastic confidence in Jahvah's protection of his people, and is wholly unconscious of any national disloyalty to the national God. His utterances thus stand in conspicuous contrast to those of the

poet of chap. xxxii., and to those of the great prophets of Judah. He probably lived in the prosperous times of Jeroboam II., in the first half of the eighth century B.C. What is said of Judah, verse 7 (ver. 11), need not at all imply that the fortunes of the tribe were at a low ebb, but rather that it was engaged in vigorous warfare (see 2 Chron. xxvi. and xxvii.), upon which the northern poet looked with a friendly eye and good wishes for the success of a kindred people."

It is truly astonishing to see the slender basis upon which some critics are content to build their theories! And they expect to be taken seriously; they are aggrieved if their imaginings are not treated with reverence! We have seen above how far it is true that the temple at Jerusalem is mentioned with special reverence, and we are now told that Zebulon and Issachar have their own shrine, a sacred hill. Tabor and Little Hermon were possibly within the territories of these tribes, but the silence of history regarding their sacred character is a little suspicious; Mr. Ball, however, tells us that "the holy hill whither the two neighbour-tribes repair to worship . . . is probably Carmel where Elijah offered his memorable sacrifice, or else Tabor." If Mr. Ball can show that Carmel was within the bounds of either of these tribes we shall be surprised; it is far more probable that it was assigned to Manasses (*cf.* Jos. xvii. 18.).

The truth is that modern critics have so far insisted on their right to treat the Bible like any other book that they have blinded themselves to its supernatural character. Critics have loudly insisted on their right to do this, but no criticism is worthy of the name which does not take into account **all the factors of the case.** Now one factor in Biblical criticism is that the Bible is an **inspired** book, and another factor is that, unlike other books, the Bible contains **revelation** and so looks not only backwards but forwards as well. To arrive at the real meaning of any passage we must of course analyse it as we should analyse any passage in the classics; and in this sense it is true that the Bible is to be treated like any other book. But there is always this important distinction to be made, *viz.*, that whereas in examining any other book we have only got to compare it with the history and literature which preceded and followed—and this is a task requiring the greatest caution and a very extensive knowledge of our subject,—in investigating

a Biblical book, or a period of Biblical history, we have always to bear in mind that Divine authorship of the book in question, which is connoted by the term "inspiration," and also that Divine insight into the future which this same Divine Authorship may, and often does, involve. Turning once again, then, to the "Blessing" of Moses, it is evidently put before us as something prophetic, it is clearly on a par with the "Blessing" of Jacob, and no sane critic can afford to analyse this latter as though it were a merely human document. When, then, Moses says to Issachar and Zebulon:—

> They shall call the peoples unto the mountain;
> There shall they offer sacrifices of righteousness:
> For they shall suck the abundance of the seas,
> And the hidden treasures of the sand;

we feel that we are acting much more in accordance with the spirit in which the Bible is given to us when we see in the words of Isaias ix. 1, lx. 5, lxvi. 11, etc., the true, if hidden, meaning of this mysterious saying of Moses.

And Mr. Ball—he does not stand alone—finally declares that the author of this poem probably lived about the time of Jeroboam II.! The conclusion seems almost a bathos; indeed if it were not so serious a matter one could afford to laugh at it. Who would dare to treat a piece of English literature as he has treated this ancient poem? Not merely reverence for a long-standing tradition but the ordinary rules of criticism would compel any one who wished to be considered a critic to take into full account the fact that the poem, or whatever it was that was under discussion, had been for long years attributed to a certain period, and moreover itself claimed to belong to that period; and any arguments which tended to show that that tradition was not well founded would have to be searchingly examined, not indeed in the interests of the tradition as such, but because the traditional view was so far in possession. But we seem nowadays to fancy ourselves at liberty when criticising the Bible to discard rules of criticism which we are bound to observe in all other departments. And the results of criticism such as this must be necessarily disastrous. At the risk of wearying our readers we will tabulate once more the steps by which the conclusions we have just been examining have been reached:—

1. The poem was composed after the time of the Judges, verse 22.

2. The poem was composed later than the monarchy, verse 5.

3. The poem was composed later than the temple, verse 12.

4. The poem was composed later than the Schism, verse 7.

5. The temple is praiseworthy, but so also the local sanctuaries, verses 12 and 19.

6. Joseph is the prominent tribe, verses 13–17. Therefore the author is an Ephraimite.

7. But he prays for the end of the Schism, verse 7.

8. He regards the southern tribes as guilty of Schism, verse 7.

The critic finds himself obliged by these data, which he claims to have derived from a laborious study of the text, to hold:—

1. That the poem is of course not the work of Moses.

2. That an unknown Ephraimite of the eighth century wrote it in an archaic style.

3. That this same poet prayed for the end of the Schism.

4. That he regarded the southern tribes as guilty of Schism and, presumably, the northern tribes as innocent.

5. That, finally, this eighth century poem came in some mysterious way to be regarded as the work of Moses and eventually was incorporated in the Pentateuch.

And the critic is led to this, be it noted, by no positive data, but by a purely subjective series of considerations; he disregards not merely the traditional view, but all the various discussions which have ever been held on the question of the true significance of this chapter. He has certain preconceived notions, and in order to justify them he has recourse to methods of criticism which seem to be lawful for Biblical critics, but which would most assuredly expose to contempt one who used them in other walks of life. To show that we are not exaggerating we will only point out this one additional fact: in the course of his examination of these twenty-eight verses Mr. Ball has thought fit to transpose four lines altogether; he has omitted one line and he has emended the text in at least forty-four places, exclusive of the pointing of the Hebrew! These facts speak for themselves!

. . . . . .

Thus far we have been occupied with what we may term the

direct witness of Deuteronomy to its own character. But indirectly also the book bears striking witness to the truth of the traditional view which refers it to the age of Moses.

II.

Incidental allusions are very often the most delicate and at the same time the most telling proofs of the authenticity of a book. We have already had occasion to refer to some of these, *e.g.*, to the allusion in xxiv. 8, 9, to the laws given in Leviticus xiii–xiv., but we would like to draw attention here to certain allusions which are less positive and which might almost be classed under the heading of "undesigned coincidences."

(*a*) The introductory discourse in chaps. i–iv. contained, as we have seen, a *résumé*, not of the events since the sojourn of the children of Israel in Egypt, but of what had taken place since their departure from Sinai; we pointed out above that this harmonised with the whole plan of Deuteronomy, since Moses wished to put briefly before them the reasons why they had been so long in the desert and why those who stood before him that day were a new generation. We pointed out, too, that this was an unlikely standpoint for a later writer to assume when he wished to put Moses on the stage. But this point becomes more striking still when we turn to chap. xi. 1–9, for Moses there addresses the Israelites as witnesses, not merely of the events since Sinai, but of the plagues of Egypt as well: "things that your children know not, who saw not . . . the signs and works which he did in the midst of Egypt." If a later writer would not have been likely to give the historical retrospect of i–iv., still less would he have been likely to have given his fictitious audience another and an earlier horizon or *terminus a quo* in another portion of his book. And this becomes clearer still when we reflect that it is at first sight by no means clear that any of Moses' audience in the plains of Moab had seen the plagues of Egypt; but we have to remind ourselves that all those who were under twenty years of age when they came to Cades–Barnea would have been alive at the time of that address and would have witnessed the plagues.

(*b*) In the same chapter, *viz.* xi. 24, we have another instance of an incidental statement which would seem impossible at a later date: "From the desert and from Libanus, from the great river Euphrates unto the western sea shall be your **borders.**" Would a writer after the time of David's conquests venture to assign to Israel a border which they never at any time reached?

(*c*) In chap. xxix. 6 we read: "You have not eaten bread, nor have you drunk **wine or strong drink.**" The statement loses half its force unless we realise that this is a reference to their **nomad** life in the desert, where they had no chance of cultivating the vine or of growing crops; but the author does not think it necessary to point this out. We ask again whether an author who wished to put Moses on the stage for securing a moral purpose would have been so true to the *mis-en-scène* which he had created?

(*d*) In ii. 4-8 Moses reminds them how, when they left Cades, they were forbidden to fight against **Edom**, and were told that if they passed through his land they were to pay for whatsoever they took; similarly in xxiii. 7, 8 they are forbidden to be at enmity with Edom, and Edomites of the third generation are to be allowed to enter the Church. At first sight it is hard to reconcile this with Numbers xx. 14-21, for there Edom is represented as behaving very ungenerously to the Israelites. Could any later writer have so written? Moses passes it over; he does not imply that the Edomites did not behave ill; he seems to wish to quietly condone the offence. But at a later time, when Edom was hated with a most deadly hatred, no writer could possibly have so written; the sanguinary raids of David and Amasias into Idumea, the bitter words of Abdias and Jeremias on the subject of Edom, are sufficient proof of this. And the same remarks hold good with regard to Moses' treatment of **Moab** and **Ammon.** From the day of David onwards these nations always ranked amongst the most inveterate enemies of Israel, and this point, unlike most of the others, has received abundant confirmation from sources exterior to the Bible; the Moabite stone is an independent witness to the truth of the inspired historians' statements.

We need not repeat here what we have said above about the directions given in chaps. vii. and xiii. for the destruction of the **Canaanites**; those directions are certainly an indication of an

early date, and no better proof of this could be found than the evasive answers of critics when brought face to face with the difficulty.

(*e*) What a remarkable thing it is that the **Philistines** are never mentioned in Deuteronomy! Yet the moment we come to the book of Josue we find that Philistia was known to him, as also the five Lords of the Philistines (*cf.* xiii. 2, 3), while in Judges they are frequently mentioned. The natural answer is surely the simplest and the most true to the facts. Moses on the east of Jordan had not come into contact with the Philistines; they were not a present enemy like the Moabites, Ammonites and Edomites. He knew of them, of course, but simply as a nation on the sea-coast through whose territory it was unadvisable to lead the as yet undisciplined tribes.

(*f*) We have often referred to the fact that though the "place which the Lord shall choose" was so often mentioned by Moses he never identifies it. But in the light of the Tel-el-Amarna tablets we dare not say that he did not know **Jerusalem**, and probably knew, too, its peculiarly suitable position for the central sanctuary. But not only does Moses not mention Jerusalem as the site of the future sanctuary, he very probably suggested to Josue that **Shiloh** would be the most suitable site. This is, of course, only a conjecture, but it is not an unreasonable one, for Moses certainly designated Mounts Ebal and Gerizim as the scene of the solemn blessings and cursings (chap. xxvii.), and Shiloh was in the immediate neighbourhood. This may in part explain why the Samaritans insisted that Gerizim was the "place that the Lord had chosen."

(*g*) Among the so-called "Post-Mosaica" there is one which we fancy may prove rather a two-edged sword in the hands of critics: we refer to what are said to be allusions to the **temple-hill** in Deuteronomy iii. 25, xxxiii. 12, and Exodus xv. 17. We have already discussed the passage in xxxiii. 12; that in iii. 25 is as follows:—

> Let me go over and see the good land that is beyond Jordan, that goodly mountain and Lebanon;

while in Exodus xv. 17 we read:—

> Thou shalt bring them in and plant them in the mountain of thine inheritance,
> The place, O Lord, which thou hast made for thee to dwell in,
> The sanctuary, O Lord, which thy hands have established.

It is clear that a writer of later date than Moses would have infallibly betrayed himself by such words as these, and we dare not say that the Jews knew that it was a later writer than Moses who gave us the Pentateuch, for they have ever held tenaciously to its Mosaic authorship; consequently only two alternatives remain to us, we can either say that these passages are later insertions or that they are not allusions to the temple-site. Now the passage in Exodus occurs in the triumphal ode of Moses after the crossing of the Red Sea and it is the closing verse of that ode; what more probable then that, like the closing verses of the "Miserere," this verse was an addition made by those who in subsequent ages sang this ode as a reminder of God's dealings with His people?

But the passage in Deuteronomy is of the greatest interest to us. To grasp its significance we must take our stand on the east of the Jordan and look, as Moses did, westward from the plains of Moab. In front of him would rise up the "wall" of the Judæan hills ("this mountain") and far away to his right the gleaming mass of "Libanus" or Hermon. This is the plain, straightforward rendering of the words; it involves no reference to the temple-site and it perfectly harmonises with the *mis-en-scène* adopted throughout Deuteronomy. Once more we must ask whether a seventh-century writer "putting Moses on the stage" would have so perfectly "staged" his drama?

(*k*) Another instance of this same fidelity to detail, a fidelity which seems to us a proof that we are reading actual history and no subsequent dramatising of events of the remote past, is to be found in i. 19, viii. 15 and ix. 21. Moses, as we have frequently had occasion to remark, does not in Deuteronomy look back so much to the plagues, the Exodus, the Red Sea, and the terrors of Sinai, as to the wanderings in the wilderness. And in this fact, as we have also remarked before, we have a proof of the historical character of the narrative, for the wilderness was the natural horizon of those whom he was then addressing. Now what a striking confirmation we have of the truthfulness of the record when we read in all three of the passages referred to above: "and went through all that great and terrible wilderness which ye saw." If they had really just come through the wilderness, if its terrors were still fresh in their memories, how true are his words, how undesigned the coincidence! Once more, could a later writer have bethought

him of so delicate an allusion? It is only when we read the text for ourselves that we realise these things, and it is only when we read the text itself that we realise the shallowness of such criticism as that of Kuenen, who endeavours (*The Hexateuch*, pp. 258–262) to prove that "the Deuteronomic writer of **JE** transposed the scene of the promulgation of the Book of the Covenant from Moab to Sinai, thus making room in the fortieth year for the new edition of the Book of the Covenant, *viz.*, Deuteronomy xii–xxvi., with its parenetic setting." Cheyne (*Founders*, p. 278) says that he has done this "in a masterly way" and regards his view as "in a high degree plausible"!

(*i*) We may also dwell on a feature which must strike every one who reads Deuteronomy with attention, and that is the picture of Moses which is there presented to us. Omitting chap. xxxiv, there is not a single word of praise or commendation of the great lawgiver, nay, rather the opposite, for his exclusion from the land of promise is dwelt upon more than once, as well as the fact that he had incurred the Divine wrath. Now this is in perfect keeping with the rest of the Pentateuch, for throughout it Moses is rarely praised, his whole life is laid before us, and we can trace its development. His weaknesses and his failings are not hidden from us, he is essentially the man; there is no deification of him, but we are permitted to see the gradual formation of a true servant of God. It would be hard to exaggerate the amount of literary skill which such a delineation would demand of a later writer, and we venture to say that it is perfectly incomprehensible on the hypothesis that in Deuteronomy we are to see the work of a seventh-century writer, who "stages" Moses and makes him plead with his apostate children. In chap. xxxiv. we have a very good sample of the treatment which the character of Moses would have met with at the hands of a later writer.

(*j*) In the course of Moses' sermons there are, as throughout the Pentateuch, many references to **Egypt**. Critics who reject the traditional view, which sees in Deuteronomy a work of the Mosaic age, are bound to explain these passages, and we will give Professor Driver's explanation as being typical of many others: "The acquaintance displayed in Deuteronomy with Egyptian customs is said to be an indication that the author is Moses. But the references are far too insignificant and slight to prove this. Even

though it be true—as, at least in some of the instances, it probably is true—that the customs alluded to in vi. 9, xxv. 2, 4, xxvi. 14, xxvii. 2 are derived from Egypt, there is no evidence that they were introduced in Moses' time; and if they were, the mention of a custom by a particular author is obviously no proof that he was *contemporary* of its introduction. The allusion to Egyptian peculiarities in xi. 10 and vii. 15, xxviii. 7 and 60, are not more marked than the one in Amos viii. 8, and not so minute as those in Isaias xix.; intercourse with Egypt, as many indications show, did not cease immediately after the Exodus'' (*Comment.* Introd. p. lxiii.).

It seems to us that all this, even if true, is beside the point, which is not whether the customs alluded to are such as belong to the time of the Exodus, but whether a later author who, to use the Professor's own words, "puts Moses on the stage to plead the cause of Monotheism'' some seven centuries after Moses' death, would have been able to make such delicate and natural allusions to Egypt and its customs as we find in Deuteronomy. To take a few examples: in vii. 15: "The Lord . . . will put none of the evil diseases of Egypt *which thou knowest,* upon thee;'' again in xi. 10: "For the land whither thou goest in to possess it is not as the land of Egypt, *from whence thou came out,* where thou sowest thy seed and wateredst it with thy foot as a garden of herbs;" again in xxvi. 14, "I have not eaten thereof in my mourning, . . . nor given thereof for the dead," a manifest allusion to customs which they had all of them witnessed just recently in Egypt; lastly in xxviii. 60: "The Lord . . . shall bring back upon you all the afflictions of Egypt *of which thou wast afraid.*" These references are natural, they have a ring of spontaneity about them; if they had been deliberate insertions calculated to give colour to the picture they would not have been so delicate nor so allusive. Moreover, it must be noticed that they imply for Moses a different audience from that which is suggested in chaps. i-iv., where, as we have seen, the historical retrospect does not go so far back as Egypt; a writer who was composing a scene which he wished to project into the remote past would surely have avoided so patent a slip as this.

(*k*) Again, Deuteronomy is supposed to have been written in the interests of the priesthood; is it not rather strange that it is only in Deuteronomy ix. 20 that **Aaron** is blamed: "And the

Lord was very angry with Aaron and would have destroyed him." It must be noted that this is one of the deliberate additions of Deuteronomy. It is perhaps worth while noting, too, that in this same passage we have another of those minute and yet telling allusions which seem to compel us to see in Deuteronomy the work or words of an eyewitness of much of what took place. Moses says: "And I cast the dust (of the golden calf) into the **brook** that descended out of the mount;" in Exodus xxxii. 20 we are merely told that Moses strewed the dust in water, and we are not told whence the water came. Explorers have noted, however, the tiny brook which winds down the mountain-side and which undoubtedly marks the scene of this event.[1]

(*l*) Another argument for the traditional date of Deuteronomy may, we think, be drawn from the **character of the religious teaching** it contains. It is the custom to speak of the Deuteronomic teaching as being very exalted, and we are told that it is too sublime to have been propounded at so early a stage of the religious development of Israel as the traditional date would demand. In words already quoted from Professor Driver: "The dominant theological ideas . . . presuppose a relatively advanced stage of theological reflexion, as they also approximate to what is found in Jeremiah and Ezechiel" (*Comment.* p. xlvii.). But it is hard to avoid the impression that modern critics sometimes trim their sails to suit the wind they are seeking, and that they are not always quite consistent in their views. Thus it is somewhat surprising to find Professor Driver writing, only a few pages previously, words which it is not easy to reconcile with those we have just quoted: "The truth that virtue is rewarded with temporal blessings, and vice punished with temporal misfortunes—a truth tenaciously held by the ancient Hebrews, and (as the book of Job shows) even treated by them as a universal law of God's providence—is an important pædagogic principle, and, as such, is frequently emphasised by the author" (*ibid.*, p. xxxiii.). But if the religion taught in Deuteronomy has this pædagogic character, is not this proof of its early date? And if it is thus pædagogic in its character, how can it be described as "presupposing a relatively advanced stage of theological reflexion?"

[1] Stanley, *Sinai and Palestine*, 1877, p. 44.

It seems to us indeed that the religious teaching of Deuteronomy is exactly what we should expect it to be on the supposition that it really does give us the last addresses of Moses on the east of the Jordan. In the first place it is exceedingly simple, while yet of the most elevated character; secondly, it is unintelligible unless we suppose its hearers familiar with the previous legislation; thirdly, it is entirely different in tone from the speculative teaching of Job, while it also takes for granted the Monotheism which Isaias xl-xlviii. so laboriously proves. It is, perhaps, when we examine the way in which modern critics treat of the religion of Israel that we best see how drastic are their methods and how subversive of all our previous views, and indeed of the entire history of the Bible. Can any one, for instance, assimilate such sentiments as the following: "Hosea had already perceived that in our religious life it is not so much we who find God, as God who finds us. Deuteronomy accepted this truth, and sought to show what forms the religious life thus quickened would assume among Yahveh's people. It discerned that that life must be a life of loyal obedience and of holy affection; and inasmuch as these are not outward acts but inward states, it took the first steps towards transferring the stress of religion from national observance to individual consciousness, and proposed as its ultimate ideal a community which should collectively realise a relationship of reverence and love to its heavenly Lord. These great sentiments could only be comprehended and expressed by the community when they had first been deeply felt by each single soul; and in enunciating its principles for the government of the traditional Israel, Deuteronomy was therefore in fact enunciating them for the whole human race in every age" (J. E. Carpenter in the *Modern Review*, April, 1883, p. 281, quoted by Driver, *l.c.* p. xxxiv.).

We ask in amazement whether we are to believe that Osee was the first to realise such fundamental principles, and—if so—how we are to explain the whole previous history of Israel, how we are to understand the origin and growth of the Psalter, etc., etc.? Can we accept the answer generally given by Critics-viz that the history previous to the Exile has only come down to us in post-Exilic editions which are hardly trustworthy, and that the Psalter is almost wholly (Psalm xvii. being only a doubtful

exception) a post-Exilic work and, in some parts, only dates from the days of the Maccabees?

III.

Some of the Difficulties which Confront the Critical Position.— In addition to the various difficulties which we have already indicated, there are others of which we can only treat incidentally. Some of them, indeed, it will be sufficient to merely enumerate after all that has been said.

(*a*) The Pentateuch, as a whole, if composed as critics would have us believe, is the most astounding **literary feat** that has ever been performed. But, omitting all question of the other books, the seventh-century writer who projected Deuteronomy into the past and put Moses on the stage to plead the cause of Monotheism with the Israel of the days of Josias must have been a literary giant. If we leave out of consideration all the extrinsic arguments brought forward by critics to support this seventh-century date, if we confine ourselves solely to the data furnished by Deuteronomy itself, it is not too much to say that no flaw can be found in this amazing literary creation. The author has entered into the mind of Moses, and more than this, he has entered into the spirit of the times of the great lawgiver, in a way which can only be called marvellous. It is no exaggeration to say that there is nothing like it in all literature. And yet what a heart-breaking task he had set himself! He had to go back seven centuries. He had to furnish his contemporaries who knew Moses as well as he did, and who knew whatever Mosaic literature critics will allow to have existed in the seventh century just as well as he did, with a life-like picture of the lawgiver at the end of his career. What pitfalls lay in wait for him! What did he know of the Egypt of that day? He had to forget Assyria and Babylon which played so large a part in the politics of his own day. He had to make his Moses speak and act on the east of the Jordan, as a new arrival in that country would speak and act; he had to present him as ignorant of the country to the west, and at the same time allow him just so much knowledge of it as would be probable in one who had for forty years lived on its borders. He had to represent him as insisting in the strongest language on the necessity

of one only sanctuary, while its name, though in the author's mind none other than the temple at Jerusalem, must never pass his lips. Surely no writer of fiction ever set himself a harder task. And, be it remembered, this particular work was not to be published as fiction; it was to be put forward and to pass current as the original work of Moses amongst the people to whom the very name of Moses was sacred. And, lastly, his work was to be so surpassingly well done that the fraud, for so we must call it, was not discovered till 2,600 years had elapsed, and this not because it was lost or neglected during that time, for it was read and studied as no other book was ever read and studied, a whole system of theology was built up upon it, and the Christian Church ultimately declared it Divinely inspired.

We have seen how this wonderful author performed his task; but, reverting once more to the analysis we have made, can we say that he took the most elementary steps to secure his work from detection? How did he set about it? He would seem to have chosen the most cumbersome method possible, for he literally courts difficulties. In the first place, he sets out with an historical retrospect covering the period of the wanderings, and into this retrospect he inserts many details which are not to be found in the earlier books. Was this prudent? Modern critics have detected him at last! Hard upon this retrospect he very clumsily inserts a passage which is quite out of keeping both with what precedes and with what follows, for he tells us over again, and *apropos* of nothing, certain details about the cities of refuge; he was imprudent, and now modern critics have laid bare his imprudence. He then goes on to give us what purports to be a long discourse by Moses (chaps. v–xxvi.). Never was anything more clumsily done; the discourse is a patchwork of older legislation and of some new precepts which would have been quite impossible in the days of Moses, at least so those who claim to be experts tell us. The new precepts were, of course, the most important ones, and it was really for them alone that he ventured to write the book, yet he gets to the twelfth chapter of his book before he enunciates one of them. After the great discourse the writer gets confused, and he puts in the wrong place an account of Moses' command to Josue about inscribing the law on stones; this was clumsy of him, for there was still a chapter of the discourse to be given; he

tried to fit it in later, but the men of Germany have proved too much for him, and his want of literary skill is now blazoned abroad, and we all wonder how it was we never saw it before. The writer concludes with an appendix which is not very cleverly pieced together, for it is made up of a series of remarks that Moses did this, that, or the other, and contains a long canticle supposed to be by Moses, but evidently not by him at all. This canticle is followed by a "**blessing**" of the tribes which is clearly modelled on that of Jacob over his sons in Genesis xlix, but here, again, the writer has made a very serious mistake, for while he has just put into the mouth of Moses a canticle which insists on that monotheistic cult for the sake of which the writer had set to work to compose this book, he now spoils all by putting also in Moses' mouth a "blessing' which makes him speak as though he saw no disloyalty in worshipping God at several places at once. Of course now that two thousand years and more have passed we can easily see that this so-called "blessing" of Moses really belongs to the end of the eighth century B.C.!

(*b*) If the critical view be correct, the characteristic note of Deuteronomy should be condemnation of all idolatrous tendencies; yet no one can deny that the predominant teaching in the book is that **love** and **not law** has been the Divine guiding principle, and must be theirs. Certainly if the author of Deuteronomy wrote as a reformer he set about it in the best way imaginable, and he appealed to the sole principle which could secure any lasting reform; but is it credible that any writer merely personating the character of Moses should have been able to thus veil his purpose?

(*c*) The theory of **religious evolution**, on which critics of the school of Wellhausen proceed, is an arbitrary one, and not supported by history or philosophy.

(*d*) To treat all the laws in Deuteronomy as though they were indubitably coloured by the future history is uncritical, and ignores a view which is at least as probable, *viz.*, that the laws in question were prospective, as indeed they claim to be.

(*e*) To read in between the lines of the text is always a dangerous proceeding when we are handling writings as remote from the period at which we live as are the books of the Bible. The data at our disposal are so scanty and so liable to be coloured by our

own preconceived notions that they have to be used with the maximum of reserve, and this latter quality is not amongst the conspicuous virtues of critics. Besides, it only too often presupposes that the Biblical history is complete, and that we fully grasp the meaning of the small amount of it which we have.

(*f*) It is often urged by modern critics that conservative critics can only hold their ground by a series of minute harmonisations, which, however possible they may be in individual cases, are in the lump incredible, and demand a manipulation of the text which is antecedently improbable. We are far from conceding the truth of this assertion, but even if it were true we would put it to impartial critics to say whether such a proceeding is not preferable to one which results in the complete disintegration of the whole Bible? For that this is the upshot of modern methods is undeniable; the whole Pentateuch has not only been split up into a multitude of fragments, but its various portions have been scattered over the whole period of Biblical history in a way which is absolutely destructive of the literary character of the whole. It is this which has deservedly won for so many modern scholars the title of "Destructive critics," and they have only themselves to blame.

(*g*) Again, it should make critics pause and think whether their methods are sound when they find that not a single archæological discovery favours their position, and though it is not maintained that archæology has directly refuted their views it has yet gone far to do so.

CHAPTER X.

The Witness of Archæology to the date of Deuteronomy.

Recent archæological discoveries have thrown a flood of light on the Biblical records, but archæology is a two-edged weapon as both conservative and destructive critics have already found. Destructive critics have, for instance, endeavoured to show that all the light cast upon the Bible by Babylonia and Assyria only proves the indebtedness of the Hebrews to those countries; we have had a recent instance of this in the now famous "Bibel und Babel" controversy where more than one Assyriologist endeavoured to prove that Israel's debt to Babylon was not merely certain but that this debt was to the Neo-Babylonian Empire and not to the Babylon of pre-Exilian days. On the other hand conservative critics have sometimes endeavoured to prove too much from archælogical data.

Now the question with which we are concerned is a purely literary one, in other words we are not concerned with the question whether details occurring in Deuteronomy are vouched for by the findings of archæology. It is, for instance, of little avail to show that in Babylonia there existed long before the time of Moses a legislation touching the manumission of slaves which is strikingly like that in Deuteronomy and in the Pentateuch generally. Such facts prove nothing regarding the composition of the book itself. And in point of fact, proof of the kind we should like to have is exceedingly difficult to obtain; indeed, short of discovering the actual cuneiform tablets which Moses may be supposed to have used, it is hard to imagine any perfectly satisfactory proof, in the strict sense of the term, that Moses did write the Pentateuch. Perhaps some day excavations may be undertaken at Kiriath-Sepher or 'Book-town,' and it is

quite within the bounds of possibility that tablets of the Mosaic age may be found. We must never forget the Moabite Stone and the Siloam inscription.

Short, however, of positive proof, archæology can do and has done a great deal to uphold the Mosaic date and authorship of the Pentateuch. Two recent discoveries stand out pre-eminent in this respect, viz: the finding of the Tel-el-Amarna tablets and the wonderful discovery of the 'Code of Hammurabi.' It was long the custom to speak of the Israelites at the time of the Exodus as though they were in a semi-barbarous condition in spite of the fact that the Pentateuch gave the lie to such an idea at every turn. The Tel-el-Amarna tablets have completely overthrown all such ideas, for they show us that in 1500 B.C. the Egyptians knew the geography of Palestine thoroughly well and that it was under their suzerainty; while the excavations recently conducted at Gezer have shown that many centuries before the Tel-el-Amarna period Egypt had full control over a great deal, if not the whole, of Palestine. But the most amazing fact brought out by these tablets is that in 1500 B.C. the difficult and cumbersome Babylonian language was universally known in both Egypt and Palestine, it was the official court language. And Winckler's recent excavations at Boghaz-Keui have shown that the correspondence between the Pharaoh and the Princes of the Hittites preparatory to the framing of the great treaty of peace between the two nations was drawn up in what was undoubtedly the language of diplomacy, namely Assyrian. (cf: Garstang in "Annals of Archæology and Anthropology," issued by the Liverpool University, vol. I, p. 43). This fact alone lifts the curtain from before the dark history of the period and reveals to us an advanced state of civilisation which we should otherwise have never suspected. No one can deny that it raises the question of the Mosaic authorship of the Pentateuch into quite another plane. It shows us that Moses must as a matter of course have known cuneiform,[1] that he must have been in the habit of writing despatches and of receiving letters, for the various vassal kings of Egypt have left us quite a voluminous corespon-

[1] The Canaanite glosses in the Tel-el-Amarna tablets show that the "language of Canaan" was written in cuneiform characters.

dence. We can even go further, for when S. Stephen spoke of Moses as "instructed in all the wisdom of the Egyptians," he clearly implied that even among the Egyptians he was remarkable for his knowledge. In other words, the age of the Exodus was a literary one and Moses was himself a learned and a literary man; he not only could have written the Pentateuch regarded as a literary effort, we may even say that it would have been quite extraordinary if he had left us no literary remains. But if the Tel-el-Amarna tablets shows us that the Mosaic age was a literary one the Code of Hammurabi shows that it was a legal one. This is not the place to go into the story of the discovery of that wonderful document; it will be sufficient for our purpose to point out that we now know that Hammurabi, the contemporary of Abraham, drew up a code of laws many of which probably dated from a time long anterior to his own reign; that these laws, though Babylonian in origin, were yet known to and appreciated by the Assyrians, and were consequently promulgated far and wide. The Tel-el-Amarna 'find' had already shown that the Babylonian language was the universal language; the discovery of the 'Code' now shows that the Babylonian law-system also was of universal application. These things are startling in themselves but they are still more so when we reflect upon the effect they must needs have on Pentateuchal criticism. They have completely changed the whole outlook; for both Egypt and Babylonia have not only shown us the literary character of the Mosaic age, but have shown us that the Babylonian cast of so much in the Bible is not to be attributed to the time of the Exile, as some critics have maintained, but is, even putting aside the Bible's own testimony to the fact, far more readily explainable by the Babylon and Egypt of the fifteenth century B.C.

So much for the indirect testimony; but what, if any, direct testimony do these discoveries offer to the date of the composition of Deuteronomy in particular? Before answering this question let us put in parallel columns some points of the Deuteronomic legislation and portions of the code of Hammurabi:

	DEUTERONOMY.	HAMMURABI.
1	xxi, 15–17.	Code. Nb. 167.
	15. If a man have **two wives**, one beloved and the other hated, and they have had children by him, and the son of the hated be the first-born. 16. And he meaneth to divide his substance among his sons: he may not make the son of the beloved the first-born, and prefer him before the son of the hated. 17. But he shall acknowledge the son of the hated for the first-born, and shall give him a double portion of all he hath: for this is the first of his children, and to him are due the first birthrights.	If a man has taken a wife and she has borne him sons, and that woman has gone to her fate, and after her he has taken another woman and she has borne children, and afterwards the father has gone to his fate, then the children shall not share according to their mothers, they shall take the marriage portions of their mothers and shall share the goods of their father's house equally.
2	xxi, 18–21.	Nb. 168.
	18. If a man have a stubborn and **unruly son** who will not hear the commandments of his father or mother, and being corrected, slighteth obedience: 19. They shall take him and bring him to the ancients of his city, and to the gate of judgement. 20. And shall say to them: This our son is rebellious and stubborn, he slighteth hearing our admonitions, he giveth himself to revelling and to debauchery and banquetings: 21. The people of the city shall stone him: and he shall die, that you may take away the evil out of the midst of you, and all Israel hearing it may be afraid.	If a man has set his face to cut off his son, and has said to the judge "I will cut off my son," the judge shall enquire into his reasons, and if the son has not committed a heavy crime which cuts off from sonship, the father shall not cut off his son from sonship.
		Nb. 169.
		If he has committed against his father a heavy crime which cuts off from sonship, for the first time the judge shall bring back his face; if he has committed a heavy crime for the second time the father shall cut off his son from sonship.
3	xxii, 25–27.	Nb. 130.
	25. But if a man find a **damsel that is betrothed**, in the field, and taking hold of her, lie with her, he alone shall die: 26. The damsel shall suffer nothing, neither is she guilty of death: for as a robber riseth against his brother, and taketh away his life, so also did the damsel suffer:	If a man has forced the wife of a man who has not known the male and is dwelling in the house of her father, and has lain in her bosom and one has caught him, that man shall be killed, the woman herself shall go free.

27. She was alone in the field: she cried, and there was no man to help her.

4 xxv, 2–3.

2. And if they see that the offender be **worthy of stripes**: they shall lay him down, and shall cause him to be beaten before them. According to the measure of the sin shall the measure also of the stripes be:

3. Yet so, that they exceed not the number of forty: lest thy brother depart shamefully torn before thy eyes.

Nb. 202.

If a man has struck the strength of a man who is great above him, he shall be struck in the assembly with 60 strokes of a cowhide whip.

5 xv, 12–17.

(cf. Lev. xxv, 35-44 and Exod, xxi, 1–6)

12. When thy brother a Hebrew man or Hebrew woman **is sold to thee**, and hath served thee six years, in the seventh year thou shalt let him go free:

13. And when thou sendest him out free, thou shalt not let him go away empty:

14. But shalt give him for his way, out of thy flocks, and out of thy barn-floor, and thy wine-press, wherewith the Lord thy God shall bless thee.

15. Remember that thou also wast a bond-servant in the land of Egypt, and the Lord thy God made thee free, and therefore I now command thee this.

16. But if he say: I will not depart: because he loveth thee and thy house, and findeth that he is well with thee:

17. Thou shalt take an awl, and bore through his ear in the door of thy house, and he shall serve thee for ever: thou shalt do in like manner to thy woman servant also.

Nb. 280.

If a man has bought in a foreign land the manservant or the maidservant of a man, when he has come into the land and the owner of the manservant or the maidservant has recognised his manservant or his maidservant, if the manservant or maidservant are natives, without price he shall grant them their freedom.

Nb. 281.

If they are natives of another land the buyer shall tell out before God the money he paid, and the owner of the manservant or maidservant shall give to the merchant the money he paid, and shall recover his manservant or maidservant.

Nb. 282.

If a slave has said to his master 'Thou art not my master,' as his slave one shall put him to account and his master shall cut off his ear.

6 xix, 21 (cf. Exod. xxi, 23-27).

21. Thou shalt not pity him, but shalt require life for life, **eye for eye**, tooth for tooth, hand for hand, foot for foot.

Nbs. 196-201, etc., the 'Lex talionis.'

If a man has made the tooth of a man that is his equal to fall out, one shall make his tooth fall out.

7	xxv, 13–15.	Nb. 108.
	13. Thou shalt not have divers **weights** in thy bag, a greater and a less. 14. Neither shall there be in thy house a greater bushel and a less. 15. Thou shalt have a just and a true weight, and thy bushel shall be equal and true: that thou mayst live a long time upon the land which the Lord thy God shall give thee. 16. For the Lord thy God abhorreth him that doth these things, and he hateth all injustice.	If a wine merchant has not received corn as the price of drink, but has received silver by the great stone, and has made the price of drink less than the price of corn, that wine merchant one shall put her to account and throw her into the water.
8	xxiv, 15 (cf. Lev. xix, 13).	Nb. 273.
	14. Thou shalt not refuse **the hire** of the needy and the poor, whether he be thy brother, or a stranger that dwelleth with thee in the land, and is within thy gates: 15. But thou shalt pay him the price of his labour the same day, before the going down of the sun, because he is poor, and with it maintaineth his life: lest he cry against thee to the Lord, and it be reputed to thee for a sin.	If a man has hired a labourer from the beginning of the year till the fifth month, he shall give 6 *se* of silver per diem; from the sixth month to the year he shall give 5 *se* of silver per diem.

Now no one will pretend that these are absolutely complete parallels, but it is not necessary for our purpose, that they should be so. For they prove at least that in the time of Moses, and indeed long before his time, a Code containing laws which are extraordinarily like those which we now find embodied in the Pentateuch were widely current. Yet we are asked by critics to believe that these same laws in Deut. are due to a body of reformers in the seventh century B. C. viz, eight hundred years after Moses and no less than sixteen hundred years after their promulgation by Hammurabi. It is true that critics try to avoid this *impasse* by conceding that many of the laws in Deuteronomy are derived from a much older code attributed to Moses, but what possible foundation have they for this declaration? And it should be borne in mind that most of the parallels with which we have been occupied occur in Deuteronomy only. It is surely reasonable to hold that just as Moses modified the Ba-

bylonian documents touching the Creation and the Flood and gave them that Monotheistic tone which causes them to stand out in such vivid contrast to the Chaldean accounts recently discovered, so he also modified the then well-known Code of Hammurabi and adapted it to the needs of the Israelites. Hebrew tradition asserts this, recent discoveries have shown that it is eminently probable; are we to reject it merely because a few critics hold distorted views?

Already a reaction is setting in against the critical school,[1] and this is largely due to the new view of the past which Archæology has forced upon men's minds. Genesis may be a composite document, the Pentateuch may enshrine many relics of a much older literature—it would be wonderful if it did not do so—but everything goes to show that those documents belong to an age anterior to Moses. And archæological evidence may, nay probably will, compel scholars to revise even the Documentary theory as it is held at present, for it is surely a striking fact that the very divergences which are claimed to exist between the accounts of the Flood or of the Creation are also to be found in the Accadian and Chaldean records which have come down to us. Scholars distinguish the Jahvist from the Elohist and refer the two authors of these so-called documents to the ninth or eighth centuries B. C., but we find in the early Chaldean records the very characteristics which are said to distinguish **J.** and **E.** (cf. Sayce "Higher Criticism and the Monuments", pp. 83–93, etc.).

As already said, the testimony of archæology is only indirect, for its discoveries only prove the existence of the *things* of which the Bible speaks, they do not prove the Biblical *literary tradition* concerning these things. Yet archæology does support in a remarkable way even the literary tradition of the Bible, for we must not forget that the literary tradition is in possession and has not been disproved. When, then, we find that the Mosaic age was a distinctly literary one; when again, the Moabite Stone, for example, presents us with an inscription which in the words of Prof. Driver:[1] "reads almost like a page from one of the earlier

[1] Cf. A trenchant review of Addis "Hebrew Religion to the Establishment of Judaism under Ezra." 1906. *Expos. Times.* Dec. 1906.

historical books of the Old Testament, its finished literary form combines with its contents in showing that the civilisation of Moab, in the ninth century B. C., was hardly inferior to that of its more celebrated neighbours, Israel and Judah;"—then we feel that the attack on the literary tradition must indeed be well founded if it is to destroy what seems to have such great extrinsic support. Similarly, when we notice the ever growing number of instances in which archæology illustrates and confirms Biblical statements, we feel that it becomes daily more difficult to reject the literary tradition. A few examples will make this clearer. The Priestly Code of Leviticus is referred by critics to the post-Exilic period but we have two inscriptions from Phœnician Carthage which enumerate the sacrificial tariffs, the priests' dues, the materials for sacrifice, etc., in terms which are often identical with those of Leviticus.[2] Experts assign these inscriptions to the fourth or fifty century B. C. It is clear that these inscriptions do not prove the literary tradition, but the fact that in the very same century to which critics would refer the Biblical code we find the same thing graven on stone, makes us pause before we reject the ancient tradition which assigns that code to a very much earlier period. Again, according to Hommel,[3] there are in the Priestly Code no Loan-words from Babylonia, yet this is very remarkable if it only dates from the post-Exilic period. Once more, in Deuteronomy iii. 9, we read of "Mount Hermon which the Sidonians call Sarion, and the Amorrhites Shenir"; yet this latter is the name given to Hermon by Shalmanassar II (B. C. 860–825) in an inscription on a paving slab at Calah, in this latter he speaks of "Shenir, a mountain summit which is in front of Lebanon."[4]

It is sometimes argued that the curses on those who shall remove their neighbours' landmarks in Deuteronomy xvii. 17, are a proof that the Israelites were already in possession of the

[1] "Authority and Archaeology," p. 92.

[2] Cf. Ball "Light. from the East" pp. 247-254. (C. I. S. 165 and 167.) Cooke "North-Semitic Inscriptions." Nos. 42 and 43.

[3] "Ancient Hebrew Tradition." English Trans. p. 17. The Assouan Papyri referred to below show us that, at least in Egypt, the fifth-century literature was permeated by Assyrian and Persian words. cf. "Journal of Theol. Studies." July 1907, p. 623.

[4] cf. Ball. "Light from the East." p. 97 and 166.

Promised Land; how this follows it is not easy to see, but the use of such boundary stones can be traced back to a very early date in Babylonia, they are covered with emblematical figures, and all the gods of the pantheon are invoked to curse those who shall dare to remove them.[1]

The linguistic argument for the late date of certain books is familiar, but it is a dangerous one as a few examples will show. In Cant. iii. 9, the word אַפִּרְיוֹן, LXX. Φορεῖον, Vulg. 'ferculum', has been regarded as a Greek word and therefore a proof of the late date of the book, but the word 'aparne' with the same meaning occurs in the cuneiform tablets from Cappadocia which Prof. Sayce refers to the same period as the Tel-el-Amarna Letters.[2] Similarly the forms ארקא and ארעא have been alleged as a proof of the late date of Jer. x, 11. where alone they occur in the Bible. But the discovery of the 'Assouan Papyri' within the last ten years has compelled us to revise our ideas; for these Papyri are probably to be referred to the immediate descendents of the very Jews who took Jeremias down into Egypt with them, and they at any rate date from between the years 471–411, B. C., for they bear those dates upon them.[3] Indeed the form ארקא was already known as occurring in the Hadad inscription from Zenjirli which is referred to the first half of the eighth century B. C.;[4] the other form, however, ארעא had not as far as we know been detected in any inscription earlier than one of those from the Wady Mukatteb and dated 187, A. D. But now in one of the Assonan Paypri the two forms occur almost side by side. And while talking of these Papyri, what a witness the Egyptian Papyri in general are to the antiquity of writing! And still more, perhaps, to the ease with which people wrote in a very early age, and to the ease with which such writings were preserved. In the year 1896, Prof. Sayce actually saw some papyri dug out from under the VIth Dynasty wall on the south side of the island of Elephantine. (cf. Archæological Report of the Egypt Exploration Fund for 1896-97. p. 25.)

1 P. Scheil, O. P. has, however, recently shown that these 'Kudurru' were problably not 'boundary-stones' at all. Cf: P.S.B.A. March, 1909.

2 "Records of the Past," New Series, vi. p. 118.

3 cf. "Journal of Theol. Studies." July 1907. p. 621.

4 Cooke "North Semitic Inscriptions." No. 61. line 5, p. 166.

This would carry us back into the third or fourth millenium B. C.; why, then, should not Moses have written his law on a papyrus roll? Why, too, should not many copies have been made even in his own time?

The question of 'doublets' or repetitions has, as we have seen, proved a lever in the hands of critics for breaking up the Biblical narratives into different documents; but we sometimes wonder how the following passage, one out of many, would fare at the hands of critics if it occurred in the Bible:—

1. "Ninip and Nergal, who love bravery, over the wild beasts of the field
2. have conferred on him power; in ships of Arvad
3. he sailed, a grampus in the great sea he slew;
4. fierce and large wild bulls in the city of Araziki,
5. which is opposite the land of the Hittites, and at the foot of Lebanon he killed;
6. the young bulls he captured alive;
7. the property of them he collected; the (adult) wild bulls with his bow
8. he killed, the (young) wild bulls which he captured alive
9. he brought to his city of Assur; 120 lions, with his heart,
10. valiant in brave attack, on his open chariot,
11. on foot, with a club he slew; lions (too)
12. with his spear he killed."

This is the record of a hunting expedition by Tiglath-Pileser I. and dates from about 1120–1100.[1] What would critics say to these 'doublets'? The only sane criticism is that this style of composition is peculiarly Semitic: "The older Arabic historians are not authors, in our sense of the word, but compilers. As a rule they profess to derive their information from oral tradition... when an important event has to be related, the historian often gives two or more accounts, resting on the authority of different persons and diverging from one another in many essential particulars". Bevan, in Cambridge Biblical Essay, p. 12, 1909.

[1] "Records of the Past," xi. p. 9.

CHAPTER XI.

Who wrote Deuteronomy?

We have completed our examination of the grounds on which critics have based their view that Deuteronomy belongs to an age later than that of Moses, and we feel that all unbiassed students must concede that the grounds for their view are insufficient to justify the conclusion to which these critics have come. Briefly, we have endeavoured to shew that neither the witness of Deuteronomy itself, nor the witness of subsequent history, nor the witness of the literature posterior to the Mosaic age, allow us to say that Deuteronomy is the work of an age later than that of Moses. Modern critics have endeavoured to refer it to the time of Josias; we have shewn that the very arguments alleged in support of this view will prove that it must have been in existence in the age of Ezechias. Again, they have endeavoured to shew that Deuteronomy is dependent upon Osee and Amos; we have shown, and, to our minds, conclusively, that it is precisely these prophets who are indebted to Deuteronomy. Lastly, they have endeavoured to show that Deuteronomy itself marks a period in Israel's history which is much later than that of the Mosaic age and that even then there is a huge gap between Deuteronomy and the other portions of the Pentateuch; we have replied that this gap only exists on the supposition that we divide up the Pentateuch into a series of different legal codes. And we have further tried to show that this "gap" will disappear as soon as we cease to regard Deuteronomy as "a people's manual" a "law-book" a "hortatory amplification of the previous legislation," in short as anything rather than what it claims to be viz; Moses' final discourses to the assembled people when they were on the point of passing over the Jordan to take up the inheritance divinely bestowed upon them.

On our side we have endeavoured to allow Deuteronomy to speak for itself, and we have argued that a multitude of details go to confirm the traditional view that the Book is what it claims to be and that it is only when we accept it as such that we can arrive at a right understanding of it. We have concluded by adducing the witness afforded by archæological research, and have seen that though it does not, strictly speaking, *prove* that Moses wrote the Pentateuch, it yet goes a long way towards doing so both directly and indirectly; that, moreover, it does not in the slightest degree bear out the contentions of critics but that, on the contrary, whenever archæology affords any evidence at all that evidence is diametrically opposed to those contentions.

The date of the composition of Deuteronomy must, then, be referred to the Mosaic age, but it does not follow that Moses actually wrote it himself. Indeed at first sight we might be inclined to say that Moses manifestly did not write it himself for it seems to bear evident traces of having been edited, and it might almost seem almost possible to say that we have in Deuteronomy a collection of Moses' last words written down after his death and never even seen by him. This is an important point and we will therefore devote some time to its consideration. The book, then, is said to shew clear signs of having been edited and the discourses of Moses seem to be fitted into a framework of editorial comments, thus—to enter into details the first sermon is prefaced by what we might regard as an editorial introduction:—

1. "These are the words, which Moses spoke to all Israel beyond the Jordan, in the plain wilderness, over against Suph, between Pharan and Thopel and Laban and Haseroth, where there is very much gold;

2. Eleven days' journey from Horeb by the way of mount Seir to Cadesbarne.

3. In the fortieth year, the eleventh month, the first day of the month, Moses spoke to the children of Israel all that the Lord had commanded him to say to them:

4. After that he had slain Sehon king of the Amorrhites, who dwelt in Hesebon: and Og king of Basan who abode in Astaroth, and in Edrai.

5. Beyond the Jordan in the land of Moab. And Moses began to expound the law, and to say..."

And this same discourse ends with a passage which seems strangely out of place and which we cannot, it would seem, attribute to Moses:

41. Then Moses set aside three cities, beyond the Jordan at the east-side,
42. That any one might flee to them who should kill his neighbour unwillingly, and was not his enemy a day or two before, and that he might escape to some of these cities.
43. Bosor in the wilderness, which is situate in the plains of the tribe of Reuben: and Ramoth in Galaad, which is in the tribe of Gad: and Golan in Basan, which is in the tribe of Manasses.
44. This is the law that Moses set before the children of Israel.
45. And these are the testimonies and ceremonies and judgments, which he spoke to the children of Israel, when they came out of Egypt,
46. Beyond the Jordan in the valley over-against the temple of Phogor in the land of Sehon king of the Amorrhites, that dwelt in Hesebon, whom Moses slew. And the children of Israel, coming out of Egypt,
47. Possessed his land, and the land of Og king of Basan, of the two kings of the Amorrhites, who were beyond the Jordan towards the rising of the sun:
48. From Aroer, which is situate upon the bank of the torrent Arnon, unto mount Sion, which is also called Hermon.
49. All the plain beyond the Jordan at the east-side, unto the sea of the wilderness, and unto the foot of mount Phasga.

And the next discourse, the great one (chs. v–xxvi.), is introduced by words which, it would seem, must be attributed to an editor:

"And Moses called all Israel and said to them..."

Similarly in ch. xxvii. 1:

"And Moses with the ancients of Israel commanded the people."

Again in the same chapter v. 9:

"And Moses and the priests of the race of Levi said to all Israel..."

The same in v. 11:

"And Moses commanded the people in that day..."

More noticeably still in xxix. 1–2:

"These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab: beside that covenant which he made with them in Horeb. And Moses called all Israel and said to them."

This same feature is strikingly evident in ch. xxxi.:

v. 1. "And Moses went and spoke all these words to all Israel."

Then, after his words have been given, the editor (?) adds:

v. 7. "And Moses called Josue and said to him before all Israel."
v. 9. "And Moses wrote this law and delivered it to the priests the sons

of Levi who carried the ark of the covenant of the Lord, and to all the ancients of Israel. And he commanded them sayning..."

v. 14a. "And the Lord said to Moses."

v. 16. "And the Lord said to Moses."

v. 22. "Moses therefore wrote the canticle and taught it to the children of Israel. And the Lord commanded Josue the son of Nun... therefore after Moses had wrote the words of this law in a volume and finished it," etc.

So also in ch. xxxii., the canticle of Moses is given and then we are told:

v. 44-45. "So Moses came and spoke all the words of this canticle in the ears of the people, he and Josue the son of Nun. And he ended all these words speaking to Israel, and he said to them...,"

And when the canticle is finished:

v. 48. "And the Lord spake unto Moses that selfsame day saying..."

Finally the book ends with the thirty fourth chapter which recounts the death of Moses and cannot by any possibility have been written by him.

Many, then, might be tempted to hold that Deuteronomy is the authentic work of Moses only in the sense that the discourses are his and are given us exactly as he delivered them, but that he never penned a word of them since he died immediately after their delivery. Combining this view of the facts with what we have seen of the contents of the book, and regarding the latter as an undoubted product of the Mosaic age, those who are drawn to the view we have suggested would be perfectly consistent if they held that Josue, the faithful minister of Moses, was the actual amanuensis who took down and faithfully reported to us these last discourses. The advantages of such a view are obvious. In the first place we should be able to give a natural explanation of the many verses quoted above where it seems necessary to see traces of an editor's hand, and in the second place we should be able to accede to the demands of modern critics when they insist that the oneness of style observable in the Pentateuch and the book of Josue compels us to speak of the Hexateuch rather than of the Pentateuch. For hitherto we have been compelled to look askance on this terminology because it has been used by critics as a lever for uprooting the whole of the Books of Moses and Josue and referring them to a much later date.

But can this view be considered consistent with the decree of the Biblical Commission with which we prefaced these pages. The second "dubium" proposed by the Commission runs as follows:

"Does the Mosaic authorship of the Pentateuch mean that we are bound to hold that Moses wrote it all with his own hand or at least dictated it to amanuenses?

Reply: – in the negative.

Can we, on the other hand, allow the hypothesis that Moses himself entrusted to one or more scribes the task of committing to writing what he alone had received under Divine inspiration; prevising of course, that these emanuenses faithfully rendered his meaning, wrote nothing which he did not intend, and omitted nothing; prevising, too, that when the work had been completed it was approved by Moses who was the principal and the inspired author, and that it was published finally under his name?

Reply: – in the affirmative".

At first sight it would seem as though the Commission obliged us to accept this latter hypothesis and that we are now bound to hold that the whole Pentateuch, exclusive of the trifling details which are excepted in the fourth "Response," actually passed under Moses' hand and received his "imprimatur." But a closer examination of the decree does not justify so rigid a rendering of it, for this second "response" must be read in the light of the first which tells us that modern critical arguments are not of sufficient weight to compel us to reject the traditional view that Moses was the author of the Pentateuch. Having thus declared that the conclusions of the "Higher Criticism" do not rest on sufficient grounds, the Commission goes on to propose the second "dubium" in which it asks whether we are therefore bound to say that Moses wrote every word of the Pentateuch himself or at least dictated it? To this a negative answer is given and a wider hypothesis is suggested by way of question, viz: can we hold that scribes wrote down Moses' inspired ideas but that he subsequently gave his "imprimatur" to the whole when written? An affirmative answer to this is given; but note what is affirmed—that we *can hold* this hypothesis, not that it is necessarily the true one, nor that no other more consistent with the facts may not be suggested and may not prove to be the more correct. The de-

cisions, then, of the Commission, amount to this: the "Higher Criticism" has not proved its case and we are not justified in rejecting the traditional view of the authorship of the Pentateuch on the ground of the arguments put forth by these same critics; nor, on the other and, are we restricted to the view that Moses wrote every word or even dictated every word of the Pentateuch; we can, *if we like*, hold the view that others wrote it for Moses, who, however, was alone inspired and who subsequently approved what they wrote. But this view is not laid down as of obligation by the Commission; neither does it positively bind us to the condition attached to this hypothesis, *viz.*; that Moses was the sole principal and inspired author.

Hence the view just suggested, *viz.* that Josue actually wrote the Pentateuch *after Moses'* death does not run counter to any Decree of the Commission. And an examination of the actual facts will, we fancy, show that it is not in accordance with the data furnished by Deuteronomy itself.

It is plain, of course, that ch. xxxiv. cannot have been penned by Moses himself, but are the editorial notices in the other portions of the book really on a par with ch. xxxiv? In other words, are they really editorial notices? In the first place we would draw attention to the fact that in the other books of the Pentateuch Moses does not speak in the first person but, like Caesar in his "Commentaries," always in the third person. Consequently if Moses actually did himself commit his final discourses to writing, there his no antecedent reason why he should not, here as well as there, have used the third person when talking impersonally. And this remark will cover the majority of the passages indicated above which seem at first sight to denote the hand of an editor; they are merely the introductory words prefixed by Moses himself to his various discourses or to the various acts which he performed during the last hours of his earthly life.

Secondly, is it so certain that Moses is represented to us as delivering all these discourses on the very day of his death? At first sight it would appear so, but we think that a more careful examination of the text will show that this was not the case.

There are several points which call for examination here:—

(*a*). The use of the expression "**this day.**" It will be found on examination that though this expression occurs very frequently

indeed (cf: iv. 8, vii. 11. viii. 1, x. 1, xi. 32, xxvi. 17, 18, xxvii 1, 9, xxviii. 1, 13, 15, etc.), yet it is not used indiscriminately; for example it only occurs five times in the second part of the sermon viz. chs. xii–xxvi., three of these being in the three last verses. And this fact is not without its significance, it seems to unify the discourse contained in chs. xii–xxvi, and to make it the central part, that, in fine, which Moses regarded as in a sense his goal. This portion of the discourse contains, as we have already seen, the legislation which referred directly to the future, the previous portion had been a summary of the legislation before given rather than a new series of laws. This should be borne in mind when estimating the value of the argument given above for supposing that chs. xii–xxvi.. formed the body of "law" which was to be written on the stones when they should have crossed the Jordan. But we are hardly justified in arguing that the expression "this day" must, whenever used in the book, denote the selfsame day. In other words we cannot argue that the whole of the discourses of Moses, his canticle, his last installation of Josue, and his last "blessing" of the tribes, all took place on one and the same day. When, for instance, we read in xxxii. 48, "And the Lord spoke to Moses that selfsame day," we need only see in this expression a reference to the day on which he had sung his canticle. Thus we may well see in xxxi. 1, a break in the narrative and the commencement of a new day. For an example of the vague way in which the expression "this day" is used see ix., 1.

(*b.*) "*The Unities of time and place.*" These are remarkably preserved and, at the same time that they bring out the dramatic character of the book, they intensify our distrust of a view which would make of Deuteronomy a fictitious piece of history and a veiled polemic of the seventh century B. C. Thus the book opens with a most minute statement both of the time at which the discourses were delivered, and of the place and the circumstances of its delivery: "It came to pass in the fortieth year, in the eleventh month, on the first day of the month," etc. Cp. ii. 14, viii. 4, xxix. 5.

(*c.*) *The references to the writing of the law.* What precise value are we to attach to the repeated statements that Moses wrote this or that law? Perhaps the only way to arrive at any

solution of this question is to pass in review all the evidence, and in doing so we will invert the natural order and, working backwards, will begin with the last passages in Deuteronomy where it is asserted that Moses wrote the law:—

xxxii, 44-47. "And Moses came and spoke all the words of this canticle in the ears of the people, he and Josue the son of Nun... And Moses made an end of speaking all these words to all Israel: and he said unto them, Set your heart unto all the words which I testify unto you this day which you shall command your children, to observe to do all the words of this law."

We regard these as Moses' last words. He is at once commanded to go up into the mount and prepare for death, and the next chapter opens with introductory words which can hardly have been penned by Moses himself:—

xxxiii, 1. "And this is the blessing wherewith Moses *the man of God* blessed the children of Israel."

The references to 'writing' are as follows:

xxxi, 24. "And it came to pass that when Moses had made an end of **writing** the words of this law in a book until they were finished."

xxxi, 22. "So Moses **wrote** this canticle the same day and taught it the children of Israel", (in accordance with the command in **xxxi.**, 19).

xxxi, 9. "And Moses **wrote** this law and delivered it unto the priests."

xxx, 10. "Keep his commandments and his statutes which are **written** in this book of law".

xxix, 27. "All the curse that is **written** in this book."

xxix, 21. "All the curses of the covenant that is **written** in this book of the law."

xxix, 20. "All the curse that is **written** in this book."

What this book was is clearly shown in xxix. 1 (M.T. xxviii. 69), where we are told of ch. xxviii that

"These are the words of the covenant which the Lord commanded Moses to make with the children of Israel in the land of Moab, beside the covenant which he made with them in Horeb."

The "book," then, at least contained ch. xxviii.

xxviii, 61. "Every sickness and every plague which is not **written** in the book of this law."

xxviii, 58. "Observe to do all the words of this law that are **written** in this book."

Before going further we may suggest that it seems to clearly follow from these passages that as Moses wrote so he read; in other words, he did not first deliver his address and then commit it to writing, but he wrote it first and then delivered it. Thus he first writes the canticle and then delivers it; and similarly

all through chs. xxviii–xxix it is supposed that what he is saying is already written. We must notice also the frequent references to a "volume" or "book" in which, as far as we can gather, Moses enters his discourses; thus, still working backwards:—

xxvii, 8. "And thou shalt **write** upon the stones all the words of this law very plainly" (cf. v. 3).

We are, then, it would seem, to depict Moses as standing before the people with the book of the law in his hand, he enters into it day by day what he is going to say to them, and he reads from his book in the hearing of the people. And this conclusion is confirmed, so it would seem, by other statements in the Bible. For instance, we read in Num. xxxiii., 2:—

"And Moses **wrote** their goings out according to their journeys . . . and these are their journeys according to their goings out."

There then follows the list of their halting places, and it is impossible to resist the impression that we are here furnished with a leaf from the diary kept by Moses. Again, all through Deuteronomy we find allusions to an already known collection of laws which we have no reason, but rather the contrary, for supposing not to have been in writing, thus:—

xxxix, 1. The reference to the previous covenant of Horeb.

xxiv, 8. "Take heed in the plague of leprosy that thou observe diligently and do according to all that the priests of the Levitical race shall teach you; as I commanded them, so ye shall observe to do."

A clear reference, as we have already remarked, to Lev. xiii–xiv, and presupposing a written copy of that law. It is worth while noting also the immediate reference which Moses makes to an event which is only given to us in Num. xii., *viz.*, the complaints of Aaron and Mary concerning the authority of Moses. "Remember," he adds, "what the Lord thy God did unto Mary by the way as ye came forth from Egypt."

xvii, 18. "And when he (the newly elected king) sitteth upon the throne of his Kingdom he shall write him a copy of this law in a book out of that which is before the priests of the Levitical race".

Clearly this "law" is not merely vv. 14–17, for Moses adds that the king is thus "to keep all the words of this law and

these statutes to do them." We would rather see in these words of Moses a reference to the whole of chs. xii–xxvi, the same law as that which was to be graven on the stones.

vi, 24–25. "And the Lord commanded us to do all these statutes, to fear the Lord our God, for our good always... if we observe to do all this commandment before the Lord our God as he hath commanded us."

vi, 17. "Ye shall diligently keep the commandments of the Lord your God, and his testimonies and his statutes which he hath commanded thee."

vi, 1. "Now this is the commandment, the statutes, and the judgements, which the Lord your God commanded to teach you."

v, 33. "Ye shall walk in all the way which the Lord your God hath commanded you."

Throughout this chapter it is a question of the commandments given on Sinai, and it is noteworthy that Moses seems clearly to distinguish between the Decalogue, the Book of the Covenant, and the subsequent legislation. Thus in v. 31:—

"Go, say to them, return ye to your tents. But as for thee, stand thou here by me, and I will speak unto thee all the commandments, and the statutes, and the judgements which thou shalt teach them."

And more expressly still in iv, 11–14:—

"And he declared unto you his covenant, which he commanded you to perform, even the ten commandments; and he wrote them upon two tables of stone. And the Lord commanded me at that time to teach you statutes and judgements, that ye might do them in the land whither ye go over to possess it."

Lastly, in iv, 5:—

"Behold I have taught you statutes and judgements even as the Lord my God commanded me."

Taking all these data together we argue that we have all through the Pentateuch a clear witness to an existing body of laws and, what is more to our purpose, to the existence of a definite volume in which Moses entered as they occurred the principle events of importance, especially the laws and his own discourses to the people. We need not refer here to the other passages in Exodus, Josue, and Samuel, which bear out this view, for we have done so elsewhere. And further, we have seen reason to suppose that when the wanderings were at length over Moses gathered together the Israelites and delivered to them in a series of discourses, extending perhaps over several days, the last charge given him by God. He commenced with

a summary of all the principal events which had taken place since they had left Sinai, and then he proceeded to put before them precepts of practical importance for the new life they were now entering upon. These precepts were many of them substantially the same as those he had given to them before in the course of the long years he had been with them; but they were recast, and that recasting was done in a manner which compels us to see in it the hand of one who knew well what he was doing, of one who was in no sense tampering with the laws of a bye-gone age, but who was quietly re-stating in a broad and simple fashion laws which he had himself given and which were in their general character well known to his hearers. Hence he refers to them easily and naturally. He does not trouble to state them exactly as he had given them at an earlier stage; he adds trifling historical details which were familiar to his hearers, and he not infrequently states his laws in a form which does not perfectly and rigidly correspond with the form he had given them before, but his hearers of course could supply gaps and would see no inconsistency in what their teacher now said to them. We have also seen that Moses probably wrote his discourses, at least in many cases, before he delivered them, and that during these last days in the plains of Moab he, as in the days of the wanderings, kept what we should call a diary of events; we have seen indications of this all through the Pentateuch, and have argued that in them we have more than sufficient ground for saying that the traditional view which regards Moses as the author of the whole Pentateuch is well founded. We have examined in detail many of the arguments brought forward against this view, and especially those which have been thought to prove that Deuteronomy at least was never written by Moses; we know not what verdict our readers will pass on our efforts, but for ourselves we can say that the result of long study of the question has made us more than ever convinced of the soundness of the traditional view and of the *hollowness*—we can use no milder word—of the arguments which are held by men of the modern school to be so utterly subversive of this view.

We hold, then, that Moses wrote Deuteronomy; and that with the exception of ch. xxxiv. and of such passages as iv, 41-49;

and x, 6–9, which may possibly have been misplaced, there is really no adequate reason why the whole should not be attributed to him.

"After Moses had **written** the words of this law in a volume, and finished it, he commanded the Levites who carried the ark of the Covenant of the Lord, saying: Take this book and put it in the side of the ark of the covenant of the Lord your God, that it may be there for a testimony against them."
DEUT. XXXI. 24-46.

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